ABILENE CITY COMMISSION - REGULAR MEETING AGENDA
ABILENE PUBLIC LIBRARY, 209 NW FOURTH STREET
April 13, 2015 - 4:00 pm

1. **Call to Order**
2. **Roll Call:** ____ Bowers ____ Casteel ____ Payne ____ Weishaar ____ Ray
3. **Pledge of Allegiance**

City Commission Installation

4. **Oath of Office to Commissioners-Elect**
5. **Nomination of Mayor and Vice-Mayor**
6. **Recognition of Out-Going Commissioners**

Consent Agenda *(Consent Agenda items will be acted upon by one motion unless a majority of the City Commission votes to remove an item for discussion and separate action.)*

7. Agenda Approval for the April 13, 2015 City Commission Meeting
8. Meeting Minutes: March 23, 2015 Regular Meeting

Public Comments and Communications

9. **Public Comments.** Persons who wish to address the City Commission regarding items not on the agenda and that are under the jurisdiction of the City Commission may do so when called upon by the Mayor. Comments on personnel matters and matters pending before court are not permitted. Speakers are limited to three minutes. Any presentation is for informational purposes only. No action will be taken.

10. **Declaration.** At this time City Commissioners may declare any conflict or communication they have had that might influence their ability to impartially consider today's issues.

Proclamations and Recognition

11. **Hope Center 2015 Week of Emphasis Proclamation**
12. **Arbor Day Proclamation**

Public Hearings

13. **None**

Old Business

14. **None**

New Business

15. **Consideration of an Ordinance rezoning certain property, generally described as 800 Van Buren Street, from "C-2, Restricted Commercial District" to "R-3, High Density Residential District" and amending the Zoning Map of the City of Abilene, Kansas.**

16. **Consideration of a Resolution of Support for a Housing Tax Credit Application to be submitted to the Kansas Housing Resources Corporation by Neighborhood Housing Services of Kansas City, Inc.**

17. **Consideration of a Resolution amending the Business Investment Grant Program of the City of Abilene, Kansas.**

18. **Consideration of a Resolution establishing the Residential Incentive Program of the City of Abilene, Kansas.**

19. **Consideration of a Motion to Approve the Final Plat of the Abilene USD 435 Subdivision in the City of Abilene, Kansas.**

20. **Consideration of a motion to recess into executive session for twenty minutes for the purposes of discussing attorney-client privileged information to include the City Attorney and City Manager.**

21. **Consideration of a motion to return from executive session with only those items in the previous motion discussed and no action being taken.**

Reports

22. **City Manager Report**
23. **Expenditures Report**

Adjournment

24. **Consideration of a motion to adjourn the April 13, 2015 City Commission meeting.** *(The City Commission will conduct Part I of its Commission Orientation following the meeting.)*

Future Meeting Reminders: *(All meeting at Abilene Public Library unless otherwise noted)*

- Planning Commission, April 14 at 4:30 pm
- Commission Orientation, April 18 at 8:30 am to 3:00 pm
- Recreation Commission, April 20 at 5:30 pm (Community Center)
- Commission Study Session, April 21 at 7:00 pm
- NGA Luncheon, April 22 at 11:30 am (Civic Center)
- Budget Forum, April 23 at 6:30 pm

ABILENE CITY COMMISSION - COMMISSION ORIENTATION AGENDA
ABILENE PUBLIC LIBRARY - 209 NW FOURTH STREET
April 13, 2015
(to follow regular meeting)

1. **Welcome and Introductions**

2. **Municipal Government 101**
   a. Commission-Manager Form of Government
   b. Ethics and Conflicts of Interest
   c. Kansas Open Meetings Act (KOMA)
   d. Communication
   e. News Media
   f. Effective Meetings
   g. Municipal Authority
   h. Boards and Commissions
   i. Personnel Management
   j. Budget and Finance
   k. Municipal Services

The Commission Orientation will continue its Orientation on April 18, 2015 beginning at 9:00 am in the Commission Chambers of the Abilene Public Library. Items to be discussed include:

- **Municipal Governance 105: Eight Indisputable Behaviors of Governing Bodies**

- **Commission Goals and Priorities**

- **Public Facilities Tour** (to include tours of City Hall, Public Works, Water Treatment Plant, Wastewater Treatment Plant, the Civic Center, and the Community Center)

Abilene City Commission Minutes
Abilene Public Library
March 23, 2015 @ 4:00 p.m.
Abilene, Kansas

1. **Call to Order**

2. **Roll Call** – City Commission Present: Mayor Bowers, Commissioners Ray, Casteel, Weishaar and Payne.

Staff Present: City Manager Dillner, Human Resources Director/City Clerk Soukup, Community Development Director Hamilton, Public Works Director Schrader, Parks & Recreation Director Foltz, Convention and Visitors Bureau Director Purkis and Fire Chief Sims.

Others Present: Rod Markley, Janet Kopka, Kathy Payne, Nicole Beck, James Enright, Ginger Sloane, Larry Kopka, Mike Herrera, Jeanne Herrera, Timothy Shafer, Margie Gentry, Lisa Seiser, Hank Royer, Stan Berven and Beth Weibert.

3. **Pledge of Allegiance** - Mayor Bowers led the Pledge of Allegiance.

Consent Agenda

4. Agenda Approval for the March 23, 2015 City Commission Meeting
5. Meeting Minutes: March 9, 2015, Regular Meeting
6. Acceptance of the Fourth Quarter, 2014 Financial Reports and Utilization Statistics from Memorial Health System, Inc., on behalf of the Public Building Commission of the City of Abilene, Kansas.

Motion by Commissioner Casteel, seconded by Commissioner Ray to approve the Consent Agenda as presented. Motion carried unanimously 5-0.

Public Comments and Communications

7. **Public Comments.** Persons who wish to address the City Commission regarding items not on the agenda and that are under the jurisdiction of the City Commission may do so when called upon by the Mayor. Comments on personnel matters and matters pending before court are not permitted. Speakers are limited to three (3) minutes. Any presentation is for informational purposes only. No action will be taken.

Mayor Bowers asked for any comments or communications from the public that are not on the agenda.

There were no public comments or communications.

8. **Declaration.** At this time City Commissioners may declare any conflict or communication they have had that might influence their ability to impartially consider today's issues.

There were no declarations.

Proclamations and Recognition

9. There were no proclamations or awards.

Public Hearings

10. A Public Hearing for the purposes of hearing objections from the public concerning the vacation of an eighty-foot wide section of public right-of-way, generally described as S. Elm Street from W. 1st Street south, at the request of Flint Hills Grain, LLC and Gavilon.

Mayor Bowers pointed out that the City Attorney is not present and asked if the City Commission was comfortable going forward with the public hearing without the City Attorney present or should it be tabled?

Commissioner Weishaar, Commissioner Casteel and Commissioner Ray answered that they are comfortable with it; Mayor Bowers and Commissioner Payne were not.

Mayor Bowers opened the Public Hearing at 4:02 p.m.

Mayor Bowers asked Hank Royer who he was at the meeting to represent.

Hank Royer stated he was here to represent seven of the property owners that the City saw fit to notify about this meeting. The only people that were notified were on 2nd Street, no notices were given to people on First Street, Third Street or north and south. He also is here to speak on behalf of some of the people who signed the petition that was previously submitted to the Commission since there has been some comment that they did not know what they were signing, including Karen Freeman and Marty Holt, he just found out that there is some blog thing going around saying that they don't know what they signed and he is representing himself and his wife.

Mayor Bowers asked Community Development Director Hamilton what type of material would be used to pave the area presently being prepared.

Community Development Director Hamilton said there currently has been no discussion on how the payment will be handled.

Mayor Bowers asked if Gavilon is going to pave this street to cut down on the dust.

Community Development Director Hamilton said that Gavilon has not indicated.
Mayor Bowers asked if there was anyone in attendance from Gavilon.

A Gavilon representative indicated she is waiting to hear back from her Director of Operations on that issue.

Hank Royer stated that City Code requires it to be paved with four inches of asphalt or concrete. The new zoning code you adopted in November requires that.

Mayor Bowers asked what utilities are currently located in the street right-of-way and are there any buildings intended to be built on the right-of-way.

A Gavilon representative said as far as she knows it is just the Westar Energy power lines that are right there. Westar is actually moving some of those due to clearance issues.

City Manager Dillner said the City has a sewer line that runs parallel to and underneath S. Elm Street. As part of the vacation, the 80 foot right-of-way will be vacated but the utility easement will be preserved so that any utility company that has utilities located in that 80 feet would have access.

Public Works Director Schrader stated that the City also has storm drain easement that runs east and west. Everything else lies within the north south right-of-way of what is now Elm St. The water and sewer lines are in the north and south right-of-way. There is also a storm drain that runs in the Elm Street right-of-way running north and south and another storm drain easement in a 10 foot easement that runs west to Mud Creek.

Commissioner Weishaar said that Kansas Gas has a gas line that runs in the east street right-of-way of Elm Street between 1st Street and 2nd Street.

Mayor Bowers stated if anyone has any comments she encouraged them to come up to speak. In the interest of time, if someone comes up to speak and someone else has already made the same comment, please do not come up to speak unless you have something different to add or a new perspective.

Nicole Beck, who lives across Mud Creek, stated she has an objection to the vacation of S. Elm Street because most of the time she uses that street to get to SW 2nd Street which she uses to get to work. The reason she does this is because W. First Street from about Elm to Buckeye is in very poor condition and hard on her vehicle and when First Street is closed for repairs people would have to go way out of their way to get to the south part of Abilene.

Richard VanNess, 507 SW 2nd Street, is the closest neighbor to Gavilon Grain. His family moved into the house in 1969 and he moved out when he was 19 and then returned and bought the house from his mother in 2004. It is safe to say that he has been down there longer than the grain company. When he was a kid growing up he knew everyone in the neighborhood, the only thing that was left was the concrete and elevators and the place was closed for years. He feels he has been a good neighbor to the grain company and has not contacted the grain company about any of the grain dust problems. He works northwest of Abilene and he uses that street every morning to get to work. If the street is closed he has to go two to three blocks out of his way to get to work. Everybody that lives in South Abilene has the train schedules in their head and know when they need to get across the tracks so they are not late. If you close Elm Street right there all you have is a strip of First Street. If anyone gets caught in that strip of First Street there is no escape route, no way to get around or turn around. They have a right to run their business and to make money but all of us that live down and own property have a right to co-exist with our own property and do what we want to do. He is 100% against it.

Rod Markley, 720 S. Cedar, said he uses the intersection a lot. When Gavilon lines their trucks up along First Street we use Elm Street to go around and if they increase their truck traffic we will have a hard time even getting down First Street. He objects to the vacation.

James Enright, always drives Elm Street to get to Casey's and to get to a friend's house. If they take it out it would lead to 2nd Street being a dead end street and would inconvenience a lot of people. He objects to the vacation.

Mike Herrera said he lives on Fair Rd. He has a number of problems with the plan. They use First Street on a regular basis to get to and from the City of Abilene and to Buckeye to go south on Buckeye. If they cut Elm Street off it would

add traffic to 3rd Street and also 2nd Street which cannot handle a lot of traffic, especially truck traffic. He also believes it would hinder ambulance and other emergency vehicles from getting to the south end of town, especially during bad weather. He opposes the vacation of Elm Street.

Hank Royer said he communicated with the Commission this weekend some of his thoughts but today they are making the record for them to make their decision. The comments need to be made during the public hearing and record kept of them so if there are any grievances and is taken to District Court, there is a record to go by. District Court cannot consider anything that is not presented in this meeting.

Hank Royer read a letter that he had sent to the Commission: Proposed Elm Street vacation: Monday's public hearing may get rather lengthy so that all might understand the position of myself, my clients, the 70 members of the public who shared by petition they would be inconvenienced by the closing of Elm Street and the additional parties who have signed another petition that will be presented to you today. He shared a few points from the letter he sent and also wants to respond to the note Mark Guilfoyle sent out on Friday.

Alleyway and street vacation requests are normally used where the alleyway and street was platted and never used. That is the common thing, when you set up a subdivision and never use it; we have subdivisions in Abilene that have been completely abandoned. The only case he is aware of where an active street was vacated was with the recent hospital project, in this case the City required a replacement street be built, and Memorial View that runs south was built since 10th Street was taken out.

The request of Flint Hills Grain, LLC, a new out of state limited liability company, in this case it is nominated to be a street vacation request but it is really just a request to allow them exclusive use of the existing street. The working drawing they have submitted just shows them using the 100 block of S. Elm for anticipated southbound truck traffic from their scales, they are not building on it they are simply using it for their southbound trucks. That is no change from the present except the trucks usually travel north on this section of street, so they will be traveling south instead of north. When the trucks get to the south 200 block of Elm they show them diverting onto their land, which they purchased from Robson, and then crossing westbound across the 200 block of South Elm to get to their new scales. They are just using the street strictly as a street to go south and get off onto their property and bring them across from the south end. No one, except them, uses the 200 block of S. Elm, if that was all they were seeking then there probably would not be all these strong feelings. The drawings that they have submitted show the way that they propose to use it would allow for at least six tractor trailers rigs to be in the unloading line before they would have to have any trucks lined up north of the south 200 block, in other words there would have to be six trucks there before they would ever have to use the street for parking.

He agrees with Mark Guilfoyle that if a party immediately adjacent to the proposed vacated street objected to the statute, it cannot go forward. However the statute, KSA 12-505, does go on to say that to approve a vacation the governing body also must find:

1. that no private rights will be injured or endangered by such vacation and
2. that the public will sever no loss or inconvenience thereby.

Please note the law does not say the nearby public and it does not say substantial inconvenience, it simply says the public cannot suffer any loss or inconvenience or you have to deny the petition.

Hank Royer said he is representing himself and seven of the fifteen property owners immediately impacted and given notice by the City of this hearing. Due to work commitments or disabilities, his clients will not be available for the hearing, although he understands the Commission didn't want them to speak anyway because they want Hank to speak.

Mayor Bowers said that is incorrect, they would have been able to speak.

Hank Royer said Mark Guilfoyle is wise to have you inquire and he would suggest require that all truck travel routes be paved to avoid doubling the current dust problems, which they indicated they do not plan to do. It is understood that statute requires that all existing utility easements remain and not be interfered with, that is with any street vacation. Mark mentioned trucks occasionally cue in the street and is a safety problem, that is no different than it is now. With the existing 100 block of S. Elm remaining open they show they can accommodate six tractor trailer loads on their property and the unused south 200 block, hence it would only be when they have more than six trucks off the scale area waiting to be dumped before there would be any trucks parked headed southbound in the 100 block. Since the scales can accommodate several trucks it is doubtful that they would ever need the street for waiting for offloading trucks. If they anticipate more than 8-10 trucks offloading at a time, they could use their current flow pattern which goes west off the scales then south and back east to the dump area and accommodate more than 10 trucks.

Hank Royer said Mark Guilfoyle suggests you could find the vacation will not substantially inconvenience area residents or other persons; the standard you must apply is no loss or inconvenience not substantial inconvenience. The seventy members of the public who signed the petition to you, myself, my clients and others at the meeting are giving you testimony that the vacation will cause us inconvenience. To find that is does not cause us inconvenience requires you to find that we are lying to you. No traffic count exists to support the theory that we all use First Street now and now 2nd Street. Under penalty of perjury I am telling you that when I return home from south of town, or from the Eisenhower Center or St. Andrews or from other property I own in south Abilene, I exit Buckeye on South 2nd Street, travel west to Elm and then north to Third Street. This routing has me avoiding two traffic control devices, the stop light on First Street and the stop sign on First and Elm, it has me avoiding the rough dip in the street on Spruce Street on First, it has me avoiding the congestion in the area of Joe Snuffy's, it avoids the terrible First and Cedar Street intersection, it has me avoiding the congestion in the area of Sweet Daddy's and avoids the congestion of trucks that often exists on First Street in the area of Gavilon Grain. Go drive it yourself, and see what I mean. I also take this reverse route whenever going south of Abilene or leaving town to the south. While counts do not exist I would not be surprised if 2nd Street routing is not more heavily traveled than First Street but again that is not the standard the law requires you to apply. If you have any testimony that closing the 100 block of South Elm will cause loss and inconvenience to the public, you must reject this vacation request.

Hank Royer said there will be other evidence on the private rights that might be injured or endangered at this hearing. Most of us in the vicinity of this operation have seen our quality of life decline substantially with the last expansion. Unless you require paved surfaces and some method to catch the grain dust, we can reasonably expect things will get worse with an expanded operation. My children and grandchildren can't visit us at our home when the facility is in full operation even at its present level. The blizzard of dust and grain particles we experience is too much for their asthmatic conditions. With expansion, this problem will increase. I can document friends who have moved from our area because of this problem. One recently sold his home and left town for this reason.

Hank Royer said in the last year the town was often severed by grain cars from Gavilon Grain blocking all of our crossings from 30 minutes to more than an hour on many occasions. It is reasonable to assume that as they increase the amount of grain that they transport into and out of this facility that these trains will get longer and block all city crossings more frequently. Those south of the tracks have good reason to be concerned about emergency services

when there is not enforcement of these crossing blockages. EMS, Fire and Police can tell you that these blockages endanger public safety. The drivers trapped in six or seven block long traffic jams on Buckeye don't think kindly of Abilene as they often swelter in their vehicles. Would not the prospect of these problems increasing be a safety hazard?

Hank Royer said this is his general comment but he wanted to go back expand on his comments. First of all last Tuesday I provided to you four petitions that contained seventy signatures from people who said it would be a loss or inconvenience to them to see Elm Street closed. That was a grouping of people. They ranged from a disabled classmate of mine, Stan Holmes who lives down on 2nd Street to other elected government officials including Jill Karen Freeman and Leah Hern. I did not circulate these petitions, Mr. Markley did. I brought them to you last Tuesday to get them to you in advance of the meeting to give you a heads up. You have seventy people there that went to the trouble of signing a document saying that it would inconvenience them. I would ask that those petitions be made a part of the records. There was also a fifth petition that says that these people feel that their private rights would be injured or endangered by the vacation. Remember there are two standards, you can't damage or injure any private rights and you cannot do anything that will cause a loss or inconvenience to any member of the public, not a neighbor, any member of the public.

Hank Royer provided copies of the petition to all Commissioners and asked that it be made part of the records as well in case we need it for future usage.

Hank Royer said the law in Kansas on vacation is a settled law. It passed in 1862. It has been 153 years that it has been the law in Kansas. I brought the Statute book and I find it interesting that there has only been one case appealed to the Supreme Court in 153 years; that is so clear that every single case has been resolved without going to the Supreme Court. The one case that went to the Supreme Court was a situation where the City of Lawrence approved a vacation when someone said they would be inconvenienced and the Supreme Court said you cannot do that and they reversed it. That is the only case in 153 years that has gone up so this is pretty well settled. We are not breaking any new ground here. Somebody may not like the law but we have to work with the law. We are a country that works under the law. You took an oath to enforce the law. This is a State law, you cannot change it. The State law controls vacation. You may not like the outcome of it but it is the law and you have got to uphold the law and you have to do what is right or it could be reversed.

Hank Royer said as to the issue as to the surfacing, I spoke previously with Tim and he suggested that they had not committed to making a hard surface there. Mr. Guilfoyle, in his letter to you, did specifically state that you should require them to make it a hard surface to keep down the dust. We are getting killed by the dust. You bring in a fully loaded grain truck; it pulverizes whatever it runs over whether it is a grain that was dumped from the last load, the dirt there, the soft rock whatever we have a dust storm down there every time the trucks come in and out of there. If they are going to increase that truck traffic from the south, put two dumps there, the only way they are going to get them out of there, by their own diagram, is to bring them around where the existing dump is and drive around and come back to the scales. If they do that it will create a raceway there. Unless you require that to be hard surfaced, we are going to see a dust storm that we have never seen before. In the City Code, your new zoning ordinance No. 22-305 states all off street loading areas and off street parking facilities, vehicular storage areas and drives and access to and from such areas shall be surfaced and maintained with four inches of asphalt or concrete to create a permanent all weather dust free surface. Such paving must be completed prior to occupancy of the facility. It is incredible for them to say they don't know if they are going to do that or not because your law requires that.

Hank Royer said he uses that street exclusively. Another example is Stan Holmes, who lives down there, is in a wheelchair. He does not have a state of the art van; he has to load his wheelchair up in the back of a van to go to Zeys. Right now he does not have any traffic control devices, he can go west on 2nd, turn right with no traffic control devices and the turn left and go right out to Zeys. If you do this, he has to make two additional turns he has to go up to Walnut, make a turn make another turn over, go to another traffic control device at First and Elm, turn and go up over the tracks at an obtuse angle and then out to Zeys. I am here to tell you that will be an inconvenience; he is rolling around in the back of that van in his wheelchair, trying to hang on with all the additional turns. That will be an inconvenience to him anytime he has to travel.

Hank Royer said to wrap this up, this is not a balancing act situation. It is not where you can say there are 50 people who don't object and 70 people who do object so we have to reject it or vice versa, there are 150 people who don't object because they didn't come to the meeting and 70 people that do object so you have to decline it. That is not what the law says, if you find that any person of the public, not a resident nearby, any member of the public will suffer any loss or any inconvenience you have to reject this, that is what the law says. I would respectfully suggest to you based on the 70 people who told you it would inconvenience them, I am telling you it would inconvenience them, I am telling you on behalf of the clients I represent in that area, which is seven homes in that area, that it would inconvenience them. For you today to approve this you will have to find that all these people are lying to you, that it will not inconvenience them. That is the only way you can approve this today. I ask you to not engage in such a fantasy and uphold the law the way it was intended to be enforced and deny this vacation. Thank you.

Mayor Bowers closed the public hearing at 4:32 p.m.

Mayor Bowers said irregardless of Hank's testimony, which I appreciate by the way, just the very fact that all of these people came here to contest this and because Gavilon has been so vague I cannot support this.

Gavilon Grain representative said they would follow any requirements.

Commissioner Casteel said she thinks the increased dust in the area will affect everyone in the community, anyone with breathing problems, asthma or lung issues. The idea that anyone's commute to work in increased is clearly an inconvenience and as a former police officer I saw that it would be a major hindrance for potential emergency vehicles to the citizens in that area. It is our responsibility to represent all citizens in this community.

Commission Ray said he does not think he can support it; there are too many people against it.

Commissioner Payne said she does not think it would be a good idea.

Old Business

11. There was no old business.

New Business

12. Consideration of an Ordinance vacating a section of the Public Right-of-Way on S. Elm Street within the City of Abilene, Kansas.

Commissioner Weishaar said there are a couple of things he would like to mention. We have been informed by our City Attorney that the statute that Mr. Royer has brought up applies to the adjacent property owners only. Having said that, I see a number of findings that I am looking at to not be in favor of this vacation, I don't think we have adequately addressed the safety issues and as long as this street is under our control we have a better handle on doing that because it will be under our control, not the grain company's. The fact that they have not done due diligence to see what type of surface they have to back there troubles me a bit, there are just a number of things in addition to an overwhelming number of people who have said please don't do this. My stance here today is I can't approve this I just don't think it is a good idea. I believe the right thing to do here is deny it.

The item died for lack of a motion.

13. Consideration of a Resolution approving a Memorandum of Understanding with various entities concerning the Chisholm Trail 150th Anniversary Celebration.

City Manager Dillner explained this Resolution approves a Memorandum of Understanding with various third party entities for payment of the planning and marketing of the Chisholm Trail 150th Anniversary Celebration.

Motion by Commissioner Casteel, seconded by Commissioner Ray to approve Resolution No. 032315-1 **A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH VARIOUS ENTITIES CONCERNING THE PLANNING AND MARKETING OF THE CHISHOLM TRAIL 150TH ANNIVERSARY CELEBRATION.** Motion carried unanimously 5-0.

14. Consideration of a Resolution authorizing certain improvements at the Water Treatment Plant of the City of Abilene, Kansas.

City Manager Dillner explained this Resolution approves the repairs to the fluoride room at the Water Treatment Plant to allow for the fluoridation of water to continue.

Motion by Commissioner Weishaar, seconded by Commissioner Ray to approve Resolution No. 032315-**2 A RESOLUTION AUTHORIZING CERTAIN IMPROVEMENTS TO THE WATER TREATMENT PLANT OF THE CITY OF ABILENE, KANSAS.** Motion carried unanimously 5-0.

Reports

15. City Manager Reports

a. Expenditure Report

The Notice to Proceed for the Airport project has been issued.

Abilene has been recognized for 2014 Tree City USA. We have been Tree City USA for 22 years in a row.

Dickinson County will hold a public hearing for the replat of Red Bud Lake on April 21st.

The Eisenhower Center Egg Roll and Easter egg hunt will be on April 4th from 1:00 p.m. to 2:30 p.m.

Adjournment

16. Consideration of a motion to adjourn the March 23, 2015 City Commission meeting.

Motion by Commissioner Weishaar, seconded by Commissioner Casteel to adjourn at 4:44 p.m. Motion carried unanimously 5-0.

(Seal)

_____
Dennis P. Weishaar, Mayor

ATTEST:

_____
Penny L. Soukup, CMC
City Clerk

The H.O.P.E. Center
2015 Week of Emphasis
Proclamation

Whereas, it is a long held value in American life and a strong Kansas tradition to support one's neighbors in times of need;

Whereas, ongoing efforts to balance state and federal budgets and the resulting changes in programs to assist those in need, continue to call for more involvement from the private sector to provide support and assistance to individuals and families whose circumstances may at times leave them without such basic needs of life as safe shelter, clothing, food, and medical care;

Whereas, the H.O.P.E. Center was established in 1991 by persons from several organizations in our larger community to
Help Our People in Emergencies;

Whereas, the H.O.P.E. Center has for twenty-four years brought together the resources of our community to serve our neighbors in times of need, seeking to fill the gaps between personal and family resources, assistance offered by government agencies, and aid available from other charitable organizations, while at the same time stretching available help by eliminating duplication of services;

Whereas, all citizens should become more aware of the needs of their neighbors, of efforts within the community to address those needs in a caring and responsible way and of opportunities to lend their support to these efforts;

Now, Therefore,

The Abilene City Commission

does hereby proclaim the week of April 26 to May 3, 2015 as H.O.P.E. Center Emphasis Week in the City of Abilene, recognize the work of the H.O.P.E. Center, and call all citizens, community agencies, religious organizations, and business to a greater recognition of the needs of their neighbors.

_____

Signed

2015 Arbor Day Proclamation

WHEREAS, in 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees, and

WHEREAS, this holiday, called Arbor Day was first observed with the planting of more than a million trees in Nebraska, and

WHEREAS, Arbor Day is now observed throughout the nation and the world, and

WHEREAS, trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen and provide habitat for wildlife, and

WHEREAS, trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and countless other wood products, and

WHEREAS, trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, trees, wherever they are planted, are a source of joy and spiritual renewal, and

WHEREAS, the City of Abilene has been recognized as a Tree City USA for 23 years by The National Arbor Day Foundation and desires to continue its tree-planting practices,

NOW, THEREFORE, I, Dennis P. Weishaar, Mayor of the City of Abilene, Kansas do hereby proclaim Friday, April 24, 2015 as

ARBOR DAY

in the City of Abilene and urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands, and

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Dated this 13th day of April in the year 2015.

ATTEST:

_____

Penny L. Soukup, City Clerk

_____

Dennis P. Weishaar, Mayor

CITY OF ABILENE
PLANNING COMMISSION
MEETING MINUTES

March 10, 2015
Study Session at 4:00 p.m.
Meeting at 4:30 p.m.
Abilene Public Library
209 NW 4th Street

Members Present: Gene Bielefeld, Kyle Campbell (Chair), Steven Olson and Travis Sawyer

Members Absent: Bruce Dale and Michelle Stephens

Staff Present: Tim Hamilton and Jennie Hiatt

Others Present: Commissioners Ray & Weishaar (see attached list)

Call to Order & Roll Call.

Seeing that a quorum was present Chair Campbell called the meeting to order.

Hiatt took roll call with four commissioners present and two absent.

Approval of Agenda.

Campbell stated that per the new zoning regulations that it should be C-2 instead of B-2 and that the Final Plat is being removed from the agenda. Also, election of Vice-Chair needs to be added to the agenda as well.

Olson made a motion to approve the agenda with the amended changes. The motion was seconded by Bielefeld. The motion passed unanimously. (4-0)

Approval of Meeting Minutes – February 10, 2015.

Bielefeld made a motion to approve the minutes as written. The motion was seconded by Olson. The motion passed unanimously. (4-0)

Business.

1. **Public Hearing, PC 15-1**, a request for a Zoning Map Amendment from Neighborhood Commercial District (C-2) to General Residential (R-3), Preliminary Plat for the property addressed as 800 N. Van Buren, Abilene, KS.

Hamilton presented the staff report.

Campbell confirmed that there will be two separate motions, one for the Rezoning and another for the Preliminary Plat. He then asked if the commissioners had any questions for staff.

Bielefeld asked where access would be coming from.

Hamilton showed the access on the plat projected on the screen, coming off of 9th Street to Landmark.

Campbell then turned it over to the applicant.

Thad Reynolds, Cedar Ridge Estates, LLC stated that in 2006 City staff highly recommend making the lot commercial and that there have been zero nibbles for a commercial build and with $120,000 in specials would like to see it be developed.

Campbell opened the public hearing.

Bill Burt, 1711 NW 9th, stated that the commercial lot was fine with them. His biggest concern is the big drainage ditch and that at the meeting the other day he asked them about the drainage and they didn't have an answer and there isn't a City Engineer at this time. He doesn't know why they can enter off of 8th Street or Van Buren. He talked about understanding why they want to do something with low income, but there are no basements or safe rooms. He said that he didn't seem to get a whole lot of good info from them and thinks they need to make quite a few changes.

Mike Townsend, 1713 NW 9th, stated that he had the same concerns and that his biggest concerns are the traffic coming thru 9th to Landmark. He questioned the specials and whether or not the new owners would have to share in the cost. He commented about the water drainage issues and how will they handle or change the water flow.

Hamilton informed the Commissioners that the drainage report study was included in their packets.

Olson stated that this rezoning can address other issues when we discuss the Preliminary Plat.

Sawyer made a motion to recommend approval of the rezoning to the City Commission. The motion was seconded by Bielefeld. The motion passed unanimously. (4-0)

Reynolds stated that a formal drainage study was done in 2006 for the 28 acres and 80 lots and was build for a 50 year storm occurrence and only had to have a 25 year storm occurrence.

There was discussion.

Townsend discussed drainage issues within the development.

Reynolds stated that those drainage issues are not from the development design, but from the builder or the inspector.

There was continued discussion.

Campbell then closed the public hearing.

Bielefeld asked Reynolds where they planned to build in the future.

Reynolds replied that they will go west off of 9th Street and not off of this development. We don't want to open up 8th Street if at all possible.

Bielefeld made a motion to approve the Preliminary Plat. The motion was seconded by Sawyer. The motion passed unanimously. (4-0)

2. **Public Hearing, PC 15-2**, a request for a Preliminary Plat & Final Plat for the properties addressed as 1300 N. Cedar & 500 NW 14th St., Abilene, KS.

Hamilton presented the staff report.

Campbell confirmed that there will be two separate motions, one for the Rezoning and another for the Preliminary Plat. He then asked if the commissioners had any questions for staff and there were none.

Denise Guy stated that she would have their Civil Engineer speak on her behalf and he gave an overview of the project.

Campbell opened the public hearing and there were no comments so he closed then closed the public hearing.

Bielefeld made a motion to approve the Preliminary Plat. The motion was seconded by Olson. The motion passed unanimously. (4-0)

Sawyer made a motion to approve the Final Plat. The motion was seconded by Olson. The motion passed unanimously. (4-0)

3. Sections 17 & 27 of the Zoning Regulations establishing Signage and Landscaping Guidelines.

Hamilton presented the staff report and then stated that he did receive public comments.

Campbell stated that he wanted to split the discussion into two separate sections for the public hearings.

He then opened the public hearing for Article 17.

Diane Miller, 1601 Jayhawk, stated that she had submitted comments prior to the meeting. She asked if there was a tree requirement, in the last section of item A.

Hamilton replied that it is not a "requirement."

Campbell then closed the public hearing and asked if the commissioners had any comments.

Hamilton also wanted to address one thing that the City Commission had commented about making this section "optional". He also received feedback regarding changing the requirement from 10% to 5%.

There was discussion.

Bielefeld made a motion to recommend approval of the modified changes. The motion was seconded by Olson. The motion passed unanimously. (4-0)

Bielefeld asked a question regarding the placement of signs.

Hamilton stated that they must be behind the property line and cannot overhang in the public right-of-way. Some clarification was added and items recommended from the public were struck through.

Campbell then opened the public hearing for Section 27.

Dennis Weese, 2997 Eden Rd., stated he still has concerns regarding the message boards and is an advocate of reasonably size message signs.

There was a document from Diane that was received by prior to the meeting by Kyle only, as he did not know that it had not been sent to the rest of the commission. It was then given to the commissioners to quickly review at this time during the meeting.

Miller then referenced the letter and made comments.

Campbell then closed the public hearing.

Bielefeld asked a question in regards to the 50% restriction regarding language and

27-401 part f, sub part 9, no building permit, strike the word "building" to read no permit.

Miller stated that she thought that off sight advertising was the most numerous requested.

Hamilton stated that it's allowed all along K-15 in the commercial districts and that we tried to match with current code.

Bielefeld made a motion to make a recommendation of approval to the City Commission of staff's current recommendations along with the additional amendment to Section 27-401.

4. Elect Vice-Chair.

There was discussion.

Bielefeld made a motion to elect Travis as Vice-Chair for the April 14, 2015 meeting. The motion was seconded by Olson. The motion passed unanimously. (4-0)

Comments.

There was a brief discussion.

The next meeting is scheduled for April 14, 2015.

Adjournment.

The meeting was adjourned by consensus.

Minutes Submitted,

Tim Hamilton
Community Development Director

Minutes Approved,

Kyle Campbell, Chair

2/10/2015

PLEASE PRINT

PLANNING COMMISSION

Sign in Roster Sheet

NAME	ADDRESS	EMAIL
Deanie Miller	1601 Jayhawk, Abilene	
Dennis Weese	2999 Eden Rd Abilene	
DENNIS WEISHAAR	1605 PARKPLACE LT	
Rod Boyd	512 Elise Apts. Abilene	
Kevin Beck	1415 SW TOPEKA BLVD, TOPEKA, KS	kevin.beck@sbbeng.com
Rick Schmidt.	1415 SW TOPEKA BLVD TOPEKA KS.	rick.schmidt@sbbeng.com
John Ray	510 Charles Rd	
Michael Hammond	1713 NW 9th ABILENE	
THAD Reynolds Jodi Reynolds	211 N. Kansas, Liberal, KS	
Bill Burt	1711 NW9 Abilene KS	
Connie Burt	1711 NW9 Abilene	
Denisi Guy	213 N Broadway	dguy@abileneschools.org
Richard Northey	1128 N. Cedar	N/A
Kevin Burchard	1208½ N. Walnut	kburchard@yahoo.com
Susan Burchard	" "	sburchard2004@yahoo.com

ORDINANCE NO. 3267

AN ORDINANCE REZONING CERTAIN PROPERTY, GENERALLY DESCRIBED AS 800 N. VAN BUREN STREET, FROM "C-2, RESTRICTED COMMERCIAL DISTRICT" TO "R-3, HIGH DENSITY RESIDENTIAL DISTRICT," AND AMENDING THE ZONING MAP OF THE CITY OF ABILENE, KANSAS

WHEREAS, the property owners of record have requested the City consider rezoning certain property more commonly described as 800 N. Van Buren Street, and as provided in **Exhibit A** as attached hereto, from "C-2, Restricted Commercial District" to R-3, High Density Residential District";

WHEREAS, the Planning Commission conducted a public hearing on March 10, 2014, and comments were received from the public both in support of an in opposition to the proposed rezoning; and

WHEREAS, the Planning Commission recommended the Governing Body approve the rezoning of the above referenced property.

THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF ABILENE, KANSAS:

SECTION ONE. Property Rezoned. That property legally described as follows is hereby rezoned from "C-2, Restricted Commercial District" to "R-3, High Density Residential District":

> *A parcel of land located in the Northeast Quarter of Section 18, Township 13 South, Range 2 East, of the 6th Principal Meridian in the City of Abilene, Dickinson County, Kansas, more particularly described as follows:*
>
> *Commencing at the Southeast corner of said Northeast Quarter, thence on an assumed bearing of N 89°58'11"W, along the South line of said Quarter a distance of 284.99 feet to the Point of Beginning of the parcel to be described; thence continuing N 89°58'11"W, along said South line a distance of 120.00 feet; thence N 00°00'00" E, a distance of 172.20 feet; thence N 90°00'00"W, a distance of 60.00 feet; thence N 00°00'00"E, a distance of 192.38 feet; thence S 90°00'00" E, a distance of 404.99 feet; thence S 00°00'00" W, a distance of 324.76 feet; thence N 89°58'11" W, a distance of 224.99 feet; thence S 00°00'00" E, a distance of 40.00 feet to the Point of Beginning, said parcel contains 2.95 acres, more or less, as is subject to easements, reservations, and restrictions of record.*

SECTION TWO. Zoning Map; Amended. That the Zoning Map of the City of Abilene, Kansas, as adopted by Ordinance No. 2796, and amendments thereto, is hereby amended to be consistent with the amendments described herein.

SECTION THREE. Effective Date. This Ordinance shall become effective and in full force from and after its passage, adoption and publication in the official City newspaper.

PASSED AND ADOPTED by the Governing Body of the City of Abilene, Kansas this 13th day of April, 2015.

CITY OF ABILENE, KANSAS

By: _____
Dennis P. Weishaar, Mayor

ATTEST:

_____
Penny Soukup, CMC

APPROVED AS TO FORM:

_____
Mark Guilfoyle, P.A.
City Attorney

EXHIBIT A

Rezoning Map and Application

for

800 N. Van Buren Street

City of Abilene, Kansas

April 13, 2015

STAFF REPORT

PC 15-1 Rezoning of a parcel of land located in the northeast quarter of Section 18, Township 13 South, Range 2 East of the 6th Principal Meridian, more particularly known as 800 N. Van Buren from "C-2, Restricted Commercial District" to "R-3, High Density Residential District".

GENERAL INFORMATION

Date:	March 5, 2015
Owner:	Cedar Ridge Estates, LLC.
Applicant:	Ryan Wedel.
Requested Action:	Amend the zoning of the property.
Purpose:	To develop an age restricted residential subdivision.
Location address:	800 N. Van Buren.
Comprehensive Plan:	Comprehensive Plan Shows this property as Neighborhood Commercial potential.
Sites Existing Zoning:	"C-2, Restricted Commercial District".
Surrounding Zoning and Land Use:	North: "R-3, High Density Residential District"; Residential uses (Cedar Ridge Estates, Phase 1). South: Dickinson County; Undeveloped land. East: "A, Agricultural District"; Residential use. West: "R-3 High Density Residential District"; Undeveloped.
Land Area:	Contains 27.58 Acres.
Notice Date:	This project was published and noticed by mail as required by code.

COMMENTS

1. This property is currently zoned "C-2, Restricted Commercial District", and abuts Cedar Ridge Estates which is currently zoned "R-3, High Density Residential District".
2. The Applicant is applying for a State tax credit which will aid in the funding of age-restricted residential development.
3. On March 10th, the Planning Commission unanimously recommended approval of the rezoning of the parcel as requested.
4. The Planning Commission also approved the Preliminary Plat for Cedar Ridge Estates #2.
5. The Planning Commission will render a recommendation on the Final Plat of this project once the Developer submits engineered plans, and provides necessary surety and performance bond prior to Final Plat approval.

RECOMMENDATION AND FINDINGS

Rezoning: Due to the distance of the proposed development from medical and other facilities frequented by individuals 55 years and older, staff is unable to recommend including this subdivision within the "EH, Elderly Housing Overlay". Therefore all building setbacks must meet the requirements of the "R-3" District. Staff recommends approval of the rezoning to "R-3, High Density Residential District" based on the following considerations outlined in Article 26-108:

a. A change in District classification may be consistent with the intent and purpose of these regulations.

b. The surrounding conditions and character of the neighborhood would not have an impact on the proposed development, since residential uses are consistent with this area.

c. Changed Conditions – Although the future land use map shows this lot as Commercial Potential, the residential development within the surrounding area has increased, with no additional commercial uses in the vicinity over the past 8 years.

d. Staff is of the opinion that the change in classification from Restricted Commercial to High Density Residential will not have a negative impact on the surrounding area with regard to traffic counts or drainage. However, should a commercial use locate on the subject property (as it is currently zoned), the surrounding area might be impacted by both increased traffic counts and drainage.

e. Other uses allowed in the proposed district, such as public facilities and churches, may have a similar traffic pattern to the lower intensity Restricted Commercial district. But such uses are already allowed since the surrounding zoning is also R-3.

f., g., i.& l. The subject property has remained vacant under its current zoning due to market conditions which dictate the location of commercial facilities. Therefore, the subject parcel may be inadequate and unsuitable for a commercial uses. The amount of vacant land available currently zoned R-3 has been developing as residential for several years.

h. All public utilities are within the vicinity of the subject parcel. Sewer, water and storm sewer will be extended from existing lines located in Cedar Ridge Estates.

k. Although the Comprehensive Plan shows this parcel as "Neighborhood Commercial Potential" , the development in this area since 2007 has been predominantly residential. Therefore the future land use map is outdated, and does not reflect the current trends for the area.

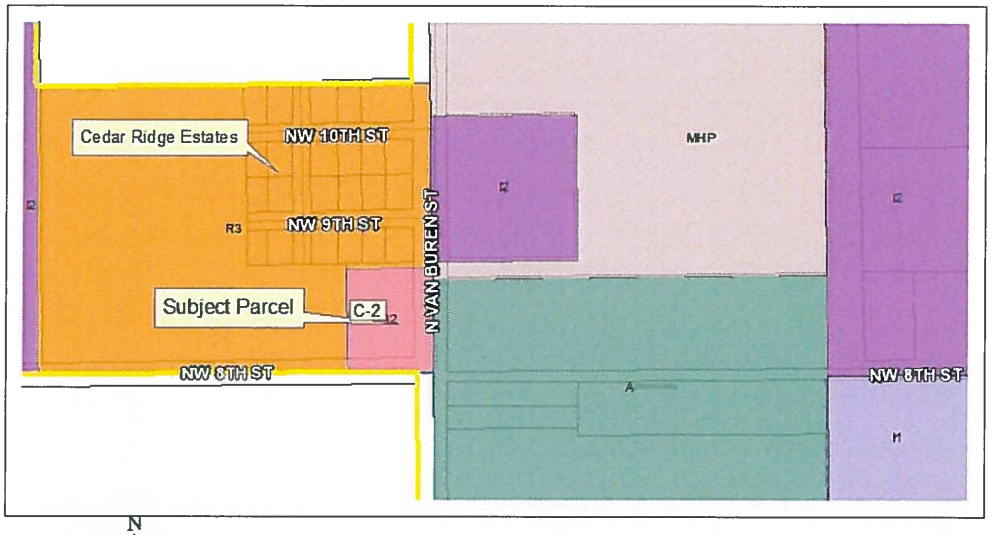
Commission Options:

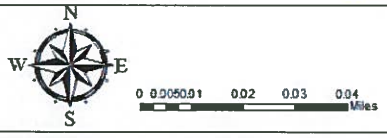
1. Approve the rezoning with staff findings.

2. Deny the rezoning based on any of the criteria outlined in 26-108.

2. Recommend approval of the rezoning of the subject parcel, and approve the Preliminary plat with conditions or additional changes as deemed necessary by the Commission.

3. Recommend denial of the rezoning of the subject parcel. If this option is chosen, the Preliminary plat is automatically denied.





CITY OF ABILENE, KANSAS

DEVELOPMENT APPROVAL APPLICATION FORM

419 N. Broadway · Abilene, Kansas 67410 · Tel: (785) 263-2550 · Fax: (785) 263-2552 · www.abilenecityhall.com

INSTRUCTIONS: *This Application and all required fees and information must be submitted in accordance with the Code of the City of Abilene and the City of Abilene Zoning and Subdivision Regulations. All information requested in this application must be provided and answered completely.*

PART I: TO BE COMPLETED BY APPLICANT

APPLICATION INFORMATION

APPLICATION FOR (CHECK APPROPRIATE BOX):

- ☐ ADMINISTRATIVE APPEAL
- ☐ ANNEXATION
- ☐ CERTIFICATE OF APPROPRIATENESS
- ☐ COMPREHENSIVE PLAN AMENDMENT
- ☐ CONDITIONAL USE PERMIT
- ☐ DEVELOPMENT CODE AMENDMENT
- ☒ FINAL PLAT
- ☐ HOME OCCUPATION PERMIT
- ☐ LANDMARK DESIGNATION
- ☐ LOT SPLIT
- ☐ LOT SPLIT
- ☐ NON-CONFORMING USE CERTIFICATE
- ☒ PRELIMINARY PLAT
- ☐ PLANNED DEVELOPMENT
- ☒ REPLAT
- ☒ REZONING / ZONING MAP AMENDMENT
- ☐ SITE PLAN
- ☐ VACATION (PLAT, STREET, EASEMENT)
- ☐ VARIANCE

FOR OFFICIAL USE ONLY

Appn Number: PC15-1

Date Received: 2/6/15

Received By: [illegible]

FEB 06 2015

CITY OF ABILENE

BRIEF DESCRIPTION OF APPLICATION PURPOSE:

APPLICANT INFORMATION

APPLICANT/AGENT (If Not Property Owner):

Name: Ryan Wedel Tel: (785) 550-1429

Business Name: Abilene Housing I, LLC Fax: ( )

Address: 4105 Wimbledon Dr.

City: Lawrence State: KS Zip Code: 66047

E-mail: rbwedel@gmail.com

PROPERTY OWNER (If Different from Applicant/Agent):

Name: Cedar Ridge Estates LLC Tel: (785) 550-1429

Business Name: Same Fax: ( )

Address: 4105 Wimbledon Dr.

City: Lawrence State: KS Zip Code: 66047

E-mail: rbwedel@gmail.com

ENGINEER/ARCHITECT/SURVEYOR:

Name: THAD Reynolds Tel: (785) 263-5523

Business Name: Earles Engineering & Inspection Fax: ( )

Address: 211 N. Kansas Ave.

City: Liberal State: KS Zip Code: 67901

E-mail: earlesinc@earleseng.com

PROPERTY INFORMATION

PROPERTY ADDRESS OR GENERAL LOCATION (IN RELATION TO NEAREST STREETS):

800 N. Van Buren St., Abilene, KS 67410

PROPERTY TAX IDENTIFICATION NUMBER: 211418010010020 40

ZONING: Existing: C2 B-2 Proposed: R3 R3

LAND USE: Existing: Vacant Proposed: Residential Housing

GROSS SIZE OF PLAT/LOT:

Residential: 2.95 Ac. Commercial: ____ Industrial: ____ Other: ____ Total: 2.95 Ac 128,502 sq. ft.

NUMBER OF LOTS:

Residential: 8 Commercial: ____ Industrial: ____ Other: ____ Total: 8

IMPROVEMENT CHARACTERISTICS:

Number of Buildings or Structures: 8 Total Building Area: 93,350

Maximum Height of Buildings or Structures: 30' Total Impervious Area: 22,400

EXISTING PUBLIC FACILITIES:	Public	Private	Other (Describe)
Water Service:	☒	☐	☐
Wastewater Service:	☒	☐	☐
Roadway Access:	☒	☐	☐

FLOODPLAIN INFORMATION:

Floodway: ☐Yes ☒ No FIRM Map-Panel Number: 20041C0070C

Floodway Fringe: ☐Yes ☒ No Zone: X

ARE ANY OTHER PERMITS OR DEVELOPMENT APPROVALS REQUIRED, APPLIED FOR OR RECEIVED FOR THE APPLICATION PROPERTY BY THE CITY OR ANY OTHER JURISDICTION OR AGENCY?

☐Yes ☐ No If Yes, Describe Briefly and Attach a Copy of Each Permit, Approval or Application

APPLICANT/PROPERTY OWNER CERTIFICATION

I/we acknowledge receipt of the instruction sheet explaining the method of submitting this application. I/we realize that this application cannot be processed unless it is completely filled in; is accompanied by a current abstractor's certificate as required in the instruction sheet; and is accompanied by the appropriate fee. I/we further certify that the foregoing information is true and correct to the best of our knowledge. I/we acknowledge that the City of Abilene Planning Commission, Board of Zoning Appeals or City Commission shall have authority to impose such conditions as it deems necessary in order to serve the public interest and welfare.

Robert B Wood, Abilene Housing I, LLC — 2-3-15

Applicant Signature — Date

Robert B Wood Cedar Ridge Estates, LLC — 2-3-15

Property Owner Signature — Date

** This Application must bear the signature(s) of the property owner(s). If an authorized agent signs on the owner's behalf, the agent shall sign his own name and attach the owner's written notarized authorization to this Application.*

PART II – TO BE COMPLETED BY STAFF

DOCUMENTS TO BE SUBMITTED WITH APPLICATION**

☒ Copy of Deed	☐ Easements and Covenants	☐ Location Map
☐ Site Plan	☒ Preliminary Plat	☒ Final Plat
☐ Infrastructure Plans	☐ Development Agreement	☐ Grading and Stormwater Plans
☐ Elevation Survey	☐ Traffic Impact Study	☐ Construction Plans
☐ Performance Agreement	☐ Proof of Notification	☐ Utility Plans
☐ Text Amendment Language	☐ Property Owner List	☐ Comprehensive Plan Amendment Justification
☐ Annexation Boundary Map	☐ Operating Characteristics Report	☐ Administrative Appeal Justification
☐ Variance Justification	☐ Other _____	

Additional document requirements provided to applicant on _____. The applicant is advised that the application is not accepted for public review until such time as the above identified documents are submitted and a Determination of Complete Application is certified.

[signature]	Comm Dev.
Name	Title
_____	_____
Signature	Date

*** Number of copies for submission determined by Zoning Administrator. The Zoning Administrator may request additional information as deemed necessary to properly evaluate the permit application.*

APPLICATION REVIEW

DECISION-MAKING BODY: ☐ Staff ☒ Planning Commission ☐ Board of Zoning Appeals ☒ City Commission ☐ Heritage Commission ☐ Other (specify):_____

DATE OF INITIAL HEARING(S): PC Mtg 3/10/15 CC Mtg 4/13/15

FEE AMOUNT: $100.00 **DATE FEE PAID:** 1/6/15

DETERMINATION OF COMPLETE APPLICATION:
I certify that the Development Approval Application and attached documents are sufficient in form and content for review and recommendation by the decision-making bodies of the City of Abilene. As such, all required notifications and hearings may proceed pursuant to City regulations and procedures. This certification does not preclude the review, recommendation and/or decision-making bodies from requesting additional information as deemed necessary to serve the public interest.

[signature]	2/6/15
Name	Title
_____	_____
Signature	Date

DEED BOOK: 236
PAGE: 797

STATE OF KANSAS } ss. 001321
Dickinson County
Filed for record this

APR 14 2006

AB3068 BK25
114-18-0-10-01-002

Entered in Transfer Record
In my office this 14 day of April A.D. 2006
Sandra K. Emig Co. Clerk
By Martha Koelling Deputy Clerk

at 12 noon o'clock M. and recorded
in book 236 page 797
Register of Deeds
Deputy

WARRANTY DEED

THIS INDENTURE, Made this 12th day of April, 2006, between, Timberline Investors, LLC, a Kansas limited liability company and Kelly Dunn Construction, Inc., a Kansas corporation, parties of the first part, and Cedar Ridge Estates, LLC a Kansas limited liability company, party of the second part,

WITNESSETH, That said part of the first part, for and in consideration of the sum of One Dollar and Other Valuable Consideration---------- to it duly paid, the receipt whereof is hereby acknowledged, has sold and by these presents does grant, bargain, sell and convey to said party of the second part, its successors and assigns, all the following described tract , piece , and parcel of land situated in the County of Dickinson and the State of Kansas to wit:

See attached Exhibit A

Pursuant to K.S.A. 79-1437e, a real estate questionnaire is not required due to Exemption No. 4.

with the appurtenances, and all the estate, title and interest of the said parties of the first part therein. And the said party of the first part does hereby covenant and agree that at the delivery hereof it is the lawful owner of the premises above granted, and seized of a good and indefeasible estate of inheritance therein, free and clear of all encumbrances and that it will warrant and defend the same in the quiet and peaceable possession of said parties of the second part, their successors and assigns forever, against all persons lawfully claiming the same.

DEED BOOK: 236
PAGE: 798

IN WITNESS WHEREOF, The parties of the first part have caused these presents to be signed by their authorized Member and President, the day and year first above written.

Timberline Investors, LLC

By: Ryan Wedel, Member

Kelly Dunn Construction, Inc.

by: Kelly R. Dunn, President

State of Kansas, County of Dickinson, ss.

BE IT REMEMBERED, That on this 12th day of April, 2006, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Ryan Wedel, Member of Timberline Investors, LLC, a Kansas limited liability company, who is personally known to me, or proved to me, to be the authorized member of Timberline Investors, LLC, and the same person who executed the within instrument of writing, and duly acknowledged the execution of the same to be the voluntary act and deed of said limited liability company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

NOTARY PUBLIC - State of Kansas
GARY M. LONGENECKER
My Appt. Exp. 3-19-07

Notary Public
Print Name Gary M. Longenecker

My Commission Expires:

State of Kansas, County of Dickinson, ss

BE IT REMEMBERED, That on this 12th day of April, 2006, before me, the undersigned, a Notary Public in and for the County and State aforesaid, came Kelly R. Dunn, President of Kelly Dunn Construction, Inc., a Kansas corporation, who is personally known to me to be, or proved to me to be, the President of Kelly Dunn Construction, Inc., and the same person who executed the within instrument of writing, and duly acknowledged the execution of the same to be the voluntary act and deed of said corporation

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year last above written.

NOTARY PUBLIC - State of Kansas
GARY M. LONGENECKER
My Appt. Exp. 3-19-07

Notary Public
Print Name Gary M. Longenecker

My Commission Expires:

DEED BOOK: 236
PAGE: 799

Exhibit A

A PARCEL OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION EIGHTEEN (18), TOWNSHIP THIRTEEN (13) SOUTH, RANGE TWO (2) EAST OF THE 6TH PRINCIPAL MERIDIAN IN CITY OF ABILENE, DICKINSON COUNTY, KANSAS, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF SAID NORTHEAST QUARTER; THENCE ON AN ASSUMED BEARING OF N00°00'00"E ALONG SAID EAST LINE A DISTANCE OF 40.00 FEET; THENCE N89°58'11"W A DISTANCE OF 60.00 FEET TO THE INTERSECTION OF THE WEST RIGHT-OF-WAY OF VAN BUREN STREET AND THE NORTH RIGHT-OF-WAY LINE OF THE NORTHWEST EIGHTH STREET, SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE PARCEL TO BE DESCRIBED; THENCE N89°58'11"W ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 1265.91 FEET TO A POINT ON THE WEST LINE OF THE EAST HALF OF SAID NORTHEAST QUARTER; THENCE N00°05'27"E ALONG SAID WEST LINE A DISTANCE OF 949.86 FEET; THENCE S89°57'15"E A DISTANCE OF 1264.44 FEET TO A POINT ON SAID WEST RIGHT-OF-WAY LINE; THENCE S00°00'00"E ALONG SAID WEST RIGHT-OF-WAY LINE A DISTANCE OF 949.52 FEET TO THE POINT OF BEGINNING; SAID PARCEL CONTAINS 27.58 ACRES, MORE OR LESS, AND IS SUBJECT TO EASEMENT, RESERVATIONS AND RESTRICTIONS OF RECORD.

RESOLUTION NO. 041315-1

A RESOLUTION OF SUPPORT FOR A HOUSING TAX CREDIT APPLICATION TO BE SUBMITTED TO THE KANSAS HOUSING RESOURCES CORPORATION BY NEIGHBORHOOD HOUSING SERVICES OF KANSAS CITY, INC.

WHEREAS, the City of Abilene, Kansas has been informed by Neighborhood Housing Services of Kansas City, Inc. ("Developer") that a housing tax credit application, attached hereto as **Exhibit A**, has been filed with the Kansas Housing Resources Corporation ("KHRC") for the development of affordable rental housing to be located at property generally described as 800 N. Van Buren Street, Abilene, Kansas, with a legal description as follows:

> *A parcel of land located in the Northeast Quarter of Section 18, Township 13 South, Range 2 East, of the 6th Principal Meridian in the City of Abilene, Dickinson County, Kansas, more particularly described as follows:*
>
> *Commencing at the Southeast corner of said Northeast Quarter, thence on an assumed bearing of N 89°58'11"W, along the South line of said Quarter a distance of 284.99 feet to the Point of Beginning of the parcel to be described; thence continuing N 89°58'11"W, along said South line a distance of 120.00 feet; thence N 00°00'00" E, a distance of 172.20 feet; thence N 90°00'00"W, a distance of 60.00 feet; thence N 00°00'00"E, a distance of 192.38 feet; thence S 90°00'00" E, a distance of 404.99 feet; thence S 00°00'00" W, a distance of 324.76 feet; thence N 89°58'11" W, a distance of 224.99 feet; thence S 00°00'00" E, a distance of 40.00 feet to the Point of Beginning, said parcel contains 2.95 acres, more or less, as is subject to easements, reservations, and restrictions of record.*

WHEREAS, the Developer desires to re-plat a portion of the Cedar Ridge development currently zoned as "C-2, Highway Business District" to provide affordable housing to the Abilene community as recommended by the Planning Commission and as attached hereto in **Exhibit B**;

WHEREAS, the Housing Development is anticipated to include the new construction of sixteen units to be developed as eight duplexes planned to be marketed to the population aged 55 and over, which are anticipated to include appliances and a safe room as amenities; and

NOW, THEREFORE BE IT RESOLVED, by the City Commission of the City of Abilene, as follows:

SECTION ONE. Support. The City supports the Developer's application for the Housing Tax Credit Program administered by the KHRC for the Housing Development. The City reserves approval of the Project subject to the Developer providing the City with all information necessary for a thorough evaluation of the Project, and any regulatory approvals required by City ordinances and policies.

SECTION TWO. Rent Rates. The Developer acknowledges that the rental rates for the Housing Development shall not exceed the Fair Market Rent, as defined by the KHRC and as amended.

SECTION THREE. Non-Binding. Nothing in this Resolution shall be considered binding upon the governing body, or any appointive boards and commissions, that may have consideration of the proposed Development.

SECTION FOUR. Effective Date. That the effects of this Resolution shall be in full force after its approval by the City Commission and shall remain in effect until December 31, 2016.

PASSED AND APPROVED by the Governing Body of the City of Abilene, Kansas this 13th day of April, 2015.

CITY OF ABILENE, KANSAS

By: _____
Dennis P. Weishaar, Mayor

ATTEST:

_____
Penny Soukup, CMC
City Clerk

EXHIBIT A

2015 KHRC Housing Tax Credit Application

Neighborhood Housing Services of Kansas City, Inc.

April 13, 2015

KANSAS HOUSING

RESOURCES CORPORATION

APPLICATION
for
2015 HOUSING TAX CREDIT PROGRAM

PROJECT NAME AND ADDRESS: Complete the information listed below.

Name(s) Bradley Square Homes Census Tract 843

Address 800 Van Buren & NW 8th St County Dickinson

City Abilene State KS Zip Code 67410

Metropolitan Statistical Area (MSA), if applicable _____ Congressional District 1

State Senate District 24 State House District 70

APPLICANT INFORMATION:

☐ For-Profit ☑ Nonprofit (Complete information on page 4)*

Name(s) Neighborhood Housing Services of Kansas City, Inc.

Address 616 E. 63rd St., Suite 200

City Kansas City State MO Zip Code 64110

Telephone Number (816) 822-7703 x 216 Fax Number _____

Contact Person Andrew L. Bias E-mail abias@nhsofkcmo.org

PARTNERSHIP INFORMATION:

☑ For-Profit ☐ Nonprofit (Complete information on page 4)

Name Bradley Square Homes, LLC Federal ID No. Will apply for

RECEIVED
FEB 06 2015
KHRC

Name(s) of General Partner(s):

NHS of KC	Telephone	(816) 822-7703	Ownership	100 %
	Telephone		Ownership	%
	Telephone		Ownership	%
	Telephone		Ownership	%
	Telephone		Ownership	%

Tax credits are requested from the nonprofit set-aside? ☑ Yes ☐ No

PREVIOUS PARTICIPATION OF GENERAL PARTNER OR DEVELOPER: List all projects in which the developer(s) or general partner(s) have requested an allocation of housing tax credits or sold a project which received an allocation of housing tax credits. Use additional sheets if necessary.

Name of Project/Location	Date of Application	Status of Project
Squire Park / KCMO	1997	Operating in Compliance
Bancroft I / KCMO	2011	Operating in Compliance
French Quarter I / Wichita, KS	2012	Complete and Occuppied
French Quarter II / Wichita, KS	2013	Under Construction

DEVELOPMENT TEAM INFORMATION: Each member of the development team must submit a resume which lists qualifications, address, and telephone number.

Name of Developer	NHS of KC
Name of General Partner	NHS of KC
Name of Contractor	Vintage Construction, LLC
Name of Management Company	FKGibbs Company
Name of Applicant/Sponsor	NHS of KC
Name of Consultant	
Name of Tax Attorney	
Name of Accountant	
Name of Architect	Krehbiel Architecture- Earles Engineering

List any direct or indirect, financial, or other interests a member of the development team may have with another member of the team. List "none" if there are no identities of interests. Use a separate sheet if needed.

None

SYNDICATION INFORMATION: Provide information below concerning syndication and estimated proceeds from sale of tax credits.

☑ Housing Tax Credits ☐ Historic Rehabilitation Tax Credits

When are these funds paid? at construction completion

Amount of estimated proceeds $2,213,598

Type of Offering ☐ Public ☑ Private

Type of Investors ☐ Individuals ☑ Corporations

Name of Fund

Name of Syndicator Midwest Housing Equity Group

Address 701 S Kansas Ave

City Topeka State KS Zip Code 66603

Telephone Number 785-267-1901 Fax Number 785-267-1903

NOTIFICATION OF LOCAL OFFICIALS: Provide the name of the local political jurisdiction (governing body) in which the project shall be located and include the name and address of the mayor of the political jurisdiction.

Name of Political Jurisdiction City of Abilene

Name of Mayor Brenda Finn Bowers

Address PO Box 519

City Abilene State KS Zip Code 67410

Telephone Number 785-263-2550

NONPROFIT DETERMINATION: If this project is to be considered for the nonprofit set-aside, the following information must be completed.

NOTE: Articles of Incorporation and IRS documentation of status must be attached with application.

To qualify for the nonprofit set-aside, the applicant must materially participate in the development and operation of the project throughout the compliance period on a regular, continuous, and substantial basis, as defined in Section 469(h) of the Internal Revenue Code.

NONPROFIT DETERMINATION (Continued):

- [x] 501 (c) (3) Organization
- [ ] 501 (c) (4) Organization
- [ ] Exempt purposes includes fostering of Low-Income Housing
- [ ] Exempt from tax under Section 501(a)
- [ ] Other: _____

Describe the nonprofit's participation in the development and operation of the project.

NHS of KC will serve as developer, and general partner of the project during the compliance period.

List the names of board members for the nonprofit organization.

Attached

Describe the past experience in managing a low-income project.

NHS of KC owns and operates three LIHTC projects in the KC area. One is out of the 15 yr compliance period the other is mid way thur yet performing fine and the last one is a new property that is fully occuppied and a compliment to the community. NHS is the managing member of all three properties.

Identify all paid, full-time staff and sources of funds for annual operating expenses and current programs.

Attached

TYPE OF HOUSING TAX CREDIT REQUESTED:

- [x] New Construction without federal subsidies
- [ ] New Construction with federal subsidies
- [ ] Acquisition/Rehabilitation without federal subsidies
- [ ] Acquisition/Rehabilitation with federal subsidies
- [ ] Acquisition with 10-year waiver from federal agency
- [ ] Project is in a Qualified Census Tract or High-Cost Area

PROJECT ASSISTANCE INFORMATION:

Do any low-income units receive or will receive rental assistance? ☐ Yes ☑ No

If yes, check the type of rental assistance:

☐ Section 8 New Construction Substantial Rehabilitation ☐ Section 8 Project Based Assistance

☐ State Assistance ☐ RD 515 Rental Assistance

☐ Section 8 Certificates ☐ Section 8 Vouchers

Number of units receiving assistance _____

Number of years in the rental assistance contract _____

NOTE: If any type of assistance is to be received, documentation from the appropriate agency must be included with the application.

MINIMUM SET-ASIDE ELECTION: NOTE: The owner Irrevocably elects one of the Minimum Set-Aside requirements (check one only).

☐ At least 20% of the rental residential units in this development are rent-restricted and to be occupied by individuals whose income is 50% or less of area median income.

☑ At least 40% of the rental residential units in this development are rent-restricted and to be occupied by individuals whose income is 60% or less of area median income.

☐ Deep-rent skewing option is elected, as defined in Section 42 of the Internal Revenue Code.

TARGETING OF UNITS: -- The project has:

# Units	% Units	
		Units exclusively set-aside to provide temporary, transitional, or single room occupancy (SRO) units for the homeless.
		Units exclusively set-aside for persons who are age 55 or older, and/or to persons with disabilities.
10	62.5%	Maintains a 20/50 targeting within the minimum set-aside elected above.
		Maintains a 20/40 targeting within the minimum set-aside elected above.
6	37.5%	Maintains a 40/60 targeting within the minimum set-aside elected above.
		Maintains a _____ targeting within the minimum set-aside elected above.
		Unit set aside for manager or maintenance personnel.

PROJECT INFORMATION:

☑ New Construction ☐ Historic Rehabilitation

☐ Acquisition & Rehabilitation ☐ Rehabilitation

Total Number of Units 16 Number of Low-Income Units: 16

Percent of Low-Income Units: %
(total number of units/number of Low-Income Units)

Row House/Townhouse Detached Single Family Detached 2 Family

Garden Apartments Elevator Stories 16 Slab on Grade

Crawl Space Partial Basement Full Basement

Amenities provided include:

Concrete Storm Room, All Appliances,

Services provided include:

Lawn Care, snow removal, and related common area maintenance

Accessory Building(s) & Area NA

List Recreation Facilities, if any NA

Commercial Facilities, if any NA

Number of Buildings (Do not include office/clubhouse unless it has living space.) 8 Total Number of Parking Spaces 48

Gross Floor Area of All Buildings 17872 (square feet)

Non-residential Floor Area: 3872 (square feet)

Residential Floor Area: 14000 (square feet)

YES Development will provide a HERS rating of 85-78____; 77-71____; 70 and below YES.

YES Development will exceed 2006 IECC.

NO Development is located in a Neighborhood Revitalization Area.

YES Owner will waive the qualified contract.

YES Development is eligible for a real estate tax exemption.

SITE INFORMATION: Provide information concerning the proposed site(s)

Control is the form of: X Deed _____ Option _____ Purchase Contract

X Other owned by related party currently - Cedar Ridge Estates, LLC - Timberline Investors is 60% owner

Expiration date of contract or option _____

_____ Total Cost of Land $1.00

Exact Area of Site in Acres 1.677 and Square Feet 73070

Name of Seller NA

Address _____

City _____ State _____ Zip Code _____

Telephone Number _____ Fax Number _____

Is site properly zoned for the proposed development? ☐ Yes ☑ No

Are all utilities presently available to the site? ☑ Yes ☐ No

PLEASE NOTE: The following information must be included with the application: proof of site control, proper zoning or application for proper zoning, a sketch plan and a legal description of site. (Proof of proper zoning must include legal description.)

ACQUISITION OF EXISTING BUILDINGS:

How many buildings will be acquired for the project? NA

Are buildings currently under control for the project? _____

If no, how many buildings are under control for the project? _____

What date will the rest of the buildings be under control for acquisition? _____

List Buildings Under Control of the Project Address(es) of Buildings	Type of Control Document	Expiration Date of Control Document	Number of Units	Acquisition Cost of Building

Acquisition Information:

Provide the information listed below concerning the acquisition of building(s) for the project.

Building(s) acquired or to be acquired from related party? ☐ No ☐ Yes

Building(s) acquired or to be acquired with Buyer's Basis:

☐ Determined with reference to Seller's Basis ☐ Not Determined with reference to Seller's Basis

List below, by building address, the date the building was placed in service, date the building was or is planned for acquisition, and the number of years between the date the building was placed in service and date of acquisition.

Address of Building(s)	Place in Service Date of Building by the most recent owner	Proposed Date of Acquisition by Applicant	Number of years between placed in Service and Acquisition

Relocation Information:

Does this project involve any relocation of tenants? ☐ Yes ☑ No
If yes, please describe the proposed relocation assistance, if any.

ENERGY & EQUIPMENT INFORMATION:

Equipment Included with Unit (Low-Income Units)

☑ Range	☑ Refrigerator	☑ Disposal
☑ Dishwasher	☑ Air Conditioner	☑ Kitchen Exhaust Fan
☑ On-Site Laundry	☑ Washer/Dryer Hook-up	☑ Other Concrete Storm Room in each unit

Equipment Included with Unit (Market Rate Units)

- ☐ Range
- ☐ Dishwasher
- ☐ On-Site Laundry
- ☐ Refrigerator
- ☐ Air Conditioner
- ☐ Washer/Dryer Hook-up
- ☐ Disposal
- ☐ Kitchen Exhaust Fan
- ☐ Other _____

Type of Unit

- ☐ Family
- ☐ Single Family
- ☐ Other _____
- ☐ Elderly
- ☐ Single Room Occupancy Housing

MONTHLY UTILITY ALLOWANCE CALCULATIONS:

Utilities	Type of Utility (Gas/Electric)	Utilities Paid By		Enter Allowances by Bedroom Size 0-Bdr	1-Bdr	2-Bdr	3-Bdr	__ Bdr
Heating		☐ Owner	☑ Tenant			27		
A/C		☐ Owner	☑ Tenant			14		
Cooking		☐ Owner	☑ Tenant			7		
Lighting		☐ Owner	☑ Tenant			18		
Hot Water		☐ Owner	☑ Tenant			9		
Water		☐ Owner	☑ Tenant			13		
Sewer		☐ Owner	☑ Tenant			16		
Trash		☑ Owner	☐ Tenant					
Total Utility Allowance for Units						104		

NOTE: Documentation of all utility calculations must be included with application. Sources of documentation must be from HUD, RD, PHA or utility company.

- ☑ HUD
- ☐ RD
- ☐ Utility Company Name _____
- ☐ Local PHA Name _____

SOURCE OF FUNDS (Construction & Permanent Financing):

Construction -- List Individually the source of construction financing.

Source of Funds	Amount of Funds	Name and Telephone Number of Contact Person
Andover State Bank	$2,310,736	Brian Chamberlin 316.733.1375
HOME	$300,000	Barry McMurphy 785-217-2024
FHLB	$112,000	Mike Borcher 785-233-0507
Total Construction Funds	$2,722,736	

Permanent -- List Total Source of funds for the Project at Closing (Do not include construction financing).

Name of Lender or Source of Funds	Amount of Funds	Annual Debt Service	Interest Rate of Loan	Amortization Period	Term of Loan
Andover State Bank	$350,000	$24,516	5.75%	30 yr.	16 yr.
HOME	$300,000				
FHLB - AHP	$112,000				
MHEG Equity	$2,213,598				
Deferred Fees	$60,138				
Total Permanent Funds	$3,035,736	$24,516	Total Annual Debt Service		

*Must equal total development costs (page 15).

Source of Funds -- Commitments: List all Source of Funds provided for the project. Commitment letters must be included with application.

Name of Lender of Source of Funds	Date of Commitment	Name and Telephone Number of Contact Person

EXHIBIT B

Proposed Cedar Ridge Re-Plat

April 13, 2015

The Preliminary Plat of Cedar Ridge Estates No. 2

to the City of Abilene, Dickinson County, Kansas

A Parcel of land located in the Northeast Quarter of Section 18, Township 13 South, Range 2 East Dickinson County, Kansas.

LEGEND

- Monument Found
- Section Corner
- M Measured Distance

SCALE: 1" = 40'

0' 20' 40'

CURVE DATA				
	Radius	Arc Length	Chord Length	Bearing
C1	60.00'	50.24'	48.78'	N53°58'16"E
C2	60.00'	60.20'	57.70'	S73°16'37"E
C3	60.00'	46.62'	45.48'	S22°16'15"E
C4	60.00'	46.62'	45.48'	S22°16'14"W
C5	60.00'	60.19'	57.70'	S73°17'19"W
C6	60.00'	50.24'	48.78'	N53°39'41"W

PLAT NOTES

1) Basis of Bearing. Assumed N89°58'11"W along the South line of the Northeast Quarter of S18-T13S-R2E
2) Monuments found have an unknown origin unless noted. All subdivision corners are either found or set in concrete
3) This plat is to be known as Cedar Ridge Estates No. 2
4) Flood Information: This property is located in Zone X areas determined to be outside 500-year flood plain. According to the Flood Insurance Rate Map for the City of Abilene, Dickinson County, Kansas. Map Number: 20417C0070 C Effective Date: 12/16/1988
5) This plat officially dedicates 40 feet of right of way on the North side of Northwest Eighth Street.
6)All dimensions are calculated measurements unless otherwise noted.

VICINITY MAP

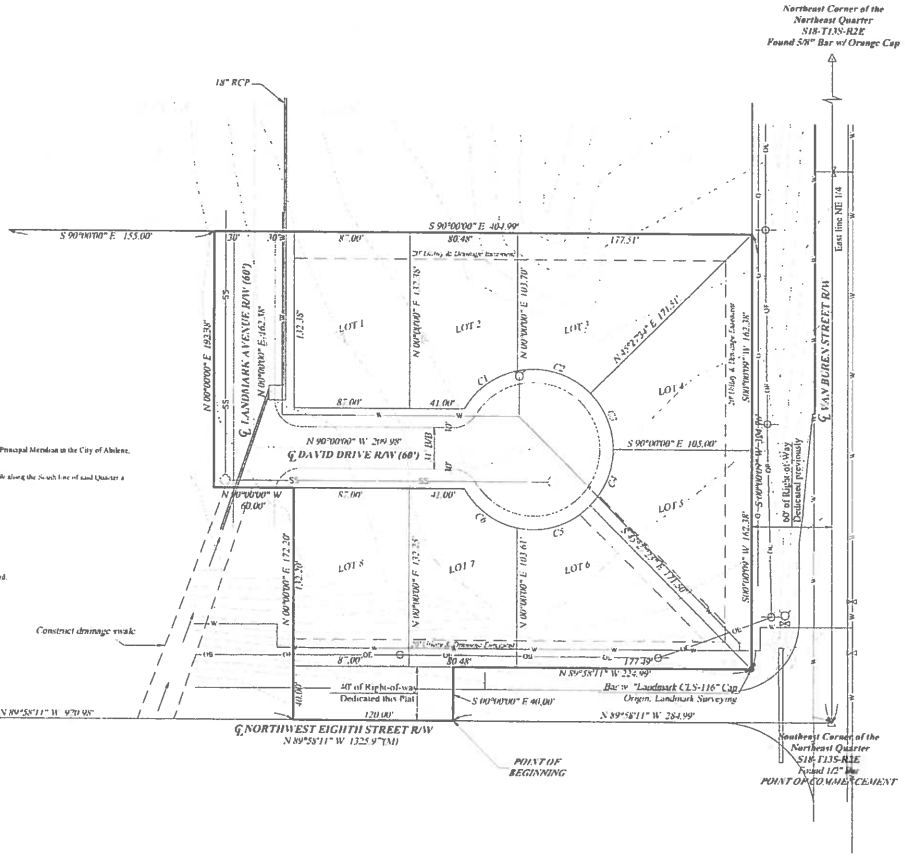
LOCATION MAP
Not to Scale

LEGAL DESCRIPTION

A parcel of land located in the Northeast Quarter of Section 18, Township 13 South, Range 2 East of the 6th Principal Meridian in the City of Abilene, Dickinson County, Kansas, more particularly described as follows

Commencing at the Southeast corner of said Northeast Quarter, thence on an assumed bearing of N89°58'11"W along the South line of said Quarter a distance of 284.99 feet to the Point of Beginning of the parcel to be described;
-thence continuing N89°58'11"W along said South line a distance of 1325.97 feet;
-thence N00°00'00"E a distance of 132.29 feet;
-thence N90°00'00"W a distance of 60.00 feet;
-thence N00°00'00"E a distance of 692.39 feet;
-thence S89°58'00"E a distance of 404.99 feet;
-thence S00°00'00"W a distance of 324.[illegible] feet;
-thence N89°58'11"W a distance of 224.94 feet;
-thence S00°00'00"E a distance of 40.00 feet to the Point of Beginning.

Said parcel contains 2.95 acres, more or less, and is subject to easements, reservations and restrictions of record.



CORPORATE OWNER'S CERTIFICATE

STATE OF KANSAS)
COUNTY OF DICKINSON) SS

This is to certify that the undersigned Proprietor, Cedar Ridge Estates, L. L. C. owns Cedar Ridge Estates, No 2, and has caused the same to be surveyed and subdivided as indicated thereon, for the uses and purposes therein set forth, and does hereby acknowledge and adopt the same under the style and title thereon indicated.

All streets shown on this plat are hereby dedicated to the public. An easement or license to the public to locate, construct, and maintain or authorize the location, construction, and maintenance of conduit, water, gas, and sewer pipes or required drainage channels or structures upon the areas marked for easements on this plat are hereby granted.

Cedar Ridge Estates, L.L.C Date
Ryan B. Wedel, Member

SURVEYOR'S CERTIFICATE

STATE OF KANSAS)
COUNTY OF DICKINSON) SS

I, the undersigned, do hereby certify that I am a registered land surveyor in the State of Kansas, with experience and proficiency in land surveying, that the heretofore described property was surveyed and subdivided by me, or under my supervision, that all subdivision regulations of the City of Abilene, Kansas have been complied with in the preparation of this plat, that all of the monuments shown herein actually exist and their positions are correctly shown to the best of my knowledge and belief.

Given under my hand and seal at Abilene, Kansas this _____ day of _____, 2015

Thad C. Reynolds L.S. #1354

EARLES ENGINEERING & INSPECTION, INC.
Engineers – Surveyors – Construction Inspectors
175 W. Iron, Salina, Kansas 67401, (785)309-1060
211 North Kansas, Liberal, Kansas 67901, (620)626-8312
Email: earlesinc@earlessurv.com

FIELD BOOK	
DRAWN BY	TCR
REVISED BY	JW
CHKD	TCR
DATE	2/10/2015
PROJECT NO	15-009
SHEET	1 of 1

Preliminary Plat Of Cedar Ridge Estates No. 2 to the City of Abilene, Dickinson County, Kansas

Cedar Ridge Estates, L.L.C.

RESOLUTION NO. 041513-2

A RESOLUTION AMENDING THE BUSINESS INVESTMENT GRANT PROGRAM FOR THE CITY OF ABILENE, KANSAS

WHEREAS, the Economic Development Council is charged with developing policies for the City Commission's review and consideration for the purposes of retaining and expanding existing businesses and seek to increase the number of small firms through entrepreneurship;

WHEREAS, the Economic Development Council has review and recommended approval of various amendments to the Business Investment Grant Program to provide financial assistance to small businesses and entrepreneurs in Abilene; and

WHEREAS, the City of Abilene desires to re-authorize its Abilene Business Investment Grant Program as a means to providing support to local business endeavors and entrepreneurs interested in starting new business enterprises in Abilene.

NOW, THEREFORE BE IT RESOLVED, by the City Commission of the City of Abilene, as follows:

SECTION ONE. Business Investment Grant Program. That the Business Investment Grant Program ("Program") of the City of Abilene, Kansas, is hereby authorized and funded for 2015 as provided herein. The Economic Development Council shall be charged with awarding grants through this Program, provided sufficient funds are available.

SECTION TWO. Appropriation of Funds. That the Program shall be funded with $54,710 from the General Fund cash balance as allowed by policy, and grant proceeds in the amount of $11,000 received from the Community Foundation of Dickinson County. Following expenditure of the funds dedicated to this purpose, the Program shall be discontinued until such time as the City Commission may evaluate the Program and decide to appropriate additional fund to the Program.

SECTION THREE. Reporting. That all participants in the Program shall provide an accounting of the use of funds to the City Manager in order for a report to be presented to the City Commission so that funds may be accounted for and to assist the City Commission in determining if the Program should be continued.

SECTION FOUR. Implementation. The City Manager, or designee, shall be authorized to implement the aforementioned program in compliance with the guidelines as attached hereto as **Exhibit A**, and as provided in applicable resolutions, ordinances, and laws.

SECTION FIVE. Effective Date. That the effects of this Resolution shall be in full force after its approval by the City Commission.

PASSED AND APPROVED by the Governing Body of the City of Abilene, Kansas this 13th day of April, 2015.

CITY OF ABILENE, KANSAS

By:_____
Dennis P. Weishaar, Mayor

ATTEST:

_____
Penny Soukup, City Clerk

EXHIBIT A

Business Investment Grant Program

City of Abilene, Kansas

April 13, 2015

ABILENE BUSINESS INVESTMENT GRANTS

City of Abilene, Kansas

Authorized by Resolution No. 041315-2

The City of Abilene would like to invite entrepreneurs, existing businesses, or commercial property owners to submit proposals for consideration in its Abilene Business Investment Grant program. The City has appropriated funds for this program as a way to promote economic growth and investment.

The program is intended to provide some financial assistance to individuals or businesses within the community who wish to invest in a business enterprise. Grants through the program are not intended to fully fund proposals; grant recipients will be required to demonstrate a financial commitment from other parties in order to be considered.

All interested individuals, businesses, and other nonprofits located within the City of Abilene are encouraged to apply.

The City Commission has authorized $54,710 for Business Investment Grants to be administered in 2015. In addition, the Community Foundation of Dickinson County has provided the City with a grant of $11,000 for the program. The total amount available for award is $65,710.

Grants, of up to $15,000 per applicant, will be competitively awarded to eligible proposals demonstrating a clear business case for investment. Applicants shall demonstrate an investment, beyond the City's grant, equal to or in excess of three times the grant request. For example, if an applicant is requesting $15,000, the applicant will have to demonstrate an investment above and beyond the grant of at least $45,000 to qualify for grant funds. Grant applications showing private or leveraged investment greater than this minimum requirement is encouraged.

The Economic Development Council will review proposals each month to determine if grant funds will be awarded. Funding of grants is subject to the availability of funds; once the total allocated funds have been awarded, the program will be closed for the year. Therefore, interested parties are encouraged to submit proposals as soon as possible to be considered for funding.

Program Eligibility

Proposals eligible to receive an Abilene Business Investment Grant must meet the following criteria:

- Grant funds must be invested in a business enterprise located within the corporate limits of the City of Abilene.

- Grant recipients shall not be delinquent on any federal, state, or local taxes, including delinquency on any special assessments, and shall provide a signed affidavit as evidence of this requirement.

- Priority will be given to proposals that
    - Leverage additional public or private programs or funds such as programs through the North Central Kansas Small Business Development Center, the Kansas Department of Commerce, USDA Rural Development, US Small Business Administration, and NetWork Kansas. Participation does not require the receipt of funds from these agencies, but participation in educational programs that add value to a business enterprise also qualify;

    - Demonstrate an innovative approach to doing business by leveraging existing community assets such as the downtown wireless network or community partnerships;

    - Improve existing buildings that are eligible to participate in the Abilene Revitalization Program in the Downtown Revitalization District or the North Revitalization District;

    - Increase the amount of property and/or sales taxes the City will receive as a result of the investment; and

    - Demonstrate the creation of new jobs for the business and community.

- Proposals must demonstrate clear and measurable outcomes and provide a reasonable analysis of the projected Return on Investment (ROI) expected from the activities implemented as a result of the grant.

- Applicants awarded funds will be required to provide a report to the City accounting for the use of funds and describing how the grant assisted with the applicant's business.

- If the proposal includes construction-related activities, such activity must begin within 180 days of the Notice of Grant Award. The applicant will be required to obtain all applicable permits prior to commencing work.

- Proposals that have been previously submitted and that are not awarded funds may not resubmit the same proposal without substantive changes to the proposal. The Economic Development Council or staff will not provide feedback or recommendations for rejected proposals.

Pre-Application Conference

Interested parties may attend a pre-application conference to learn more about the program. The conference will be held at the Abilene Public Library on April 28th at 5:30 pm. Applicants will have the opportunity to ask questions about the program, although the City will not answer questions about a specific project or proposal.

Applicants are asked to be as specific as possible in preparing their proposal, and should provide information that assists in making their best business case to the Economic Development Council. All information submitted with an application is subject to public disclosure.

Application Process

The deadline for interested parties to submit an application is June 1st. The Economic Development Council will review applications and consider awards at its July 21st meeting. Applicants are encouraged to attend the June 16th Economic Development Council meeting when proposals will be reviewed and discussed. Applicants should be prepared to answer questions concerning their proposal at this meeting.

Proposals shall include the following information:

1. Proposal Details, to include:
    a. Clear statement indicating the link to business investment and growth in Abilene;
    b. Description of business enterprise;
    c. Description of what the grant is intended to accomplish;
    d. Demonstration of financial feasibility;
    e. Identify work phases of proposal, if applicable;
    f. Detailed cost estimate (breakdown by the types of work and materials); and
    g. Specific measurable outcomes expected within the next 12 months.

2. Supplemental Information and Materials:
    a. Photos of existing structures, preliminary sketches or plans, if applicable;
    b. Historical significance of structures, if applicable;
    c. Safety concerns/impediments to development, if applicable; and
    d. Other supporting documentation as may be deemed appropriate by applicant.

3. Please be sure to clearly identify the following information in the application narrative: 1) Individual or firm name; 2) Primary contact name; 3) Contact's phone number; and 4) Contact's email address.

Proposals should be submitted to the City of Abilene as follows:

By mail:
City of Abilene, Kansas
Attn: City Manager - ED Grants
PO Box 519
Abilene, KS 67410

By email:
Proposals may be submitted in a .pdf format to citymgr@abilenecityhall.com. Please include **ED Grants** in the subject line.

Personal delivery:
Applicants may hand-deliver proposals to the Dwight D. Eisenhower Municipal Building located at 419 N. Broadway Street, Abilene, Kansas between 8:00 am and 5:00 pm, Monday through Friday.

The City will not be responsible for failure of delivery or late proposals, so applicants should take whatever steps are deemed appropriate to ensure timely delivery. Proposals received after the submittal deadline for each month will not be considered. Proposals will not be returned to the applicant. The Economic Development Council has the final decision with respect to grant awards. The Council is not required to award any funds appropriated for the Abilene Business Investment Grant program, and may reject any and all proposals.

This program will be administered in compliance with the City's Code of Ethics, as defined by Section 1-309 of the City Code.

RESOLUTION NO. 041513-3

A RESOLUTION ESTABLISHING A RESIDENTIAL INCENTIVE PROGRAM FOR THE CITY OF ABILENE, KANSAS

WHEREAS, the Economic Development Council is charged with developing policies for the City Commission's review and consideration for the purposes of encouraging economic growth and development;

WHEREAS, at its March 17, 2015 meeting, the Economic Development Council has review and recommended approval of a Residential Incentive Program to encourage new residential growth in Abilene; and

WHEREAS, the City of Abilene desires to establish its Abilene Residential Incentive Program as a means to providing an incentive to people looking to purchase a new home in Abilene.

NOW, THEREFORE BE IT RESOLVED, by the City Commission of the City of Abilene, as follows:

SECTION ONE. Residential Incentive Program. That the Residential Incentive Program ("Program") of the City of Abilene, Kansas, is hereby established and funded as provided herein until December 31, 2015.

SECTION TWO. Appropriation of Funds. That the Program shall be funded with funds from the General Fund as allowed by policy. Following expenditure of the funds dedicated to this purpose, the Program shall be discontinued until such time as the City Commission may evaluate the Program and decide to appropriate additional fund to the Program.

SECTION THREE. Reporting. That all participants in the Program shall provide an accounting of the use of funds to the City Manager in order for a report to be presented to the City Commission so that funds may be accounted for and to assist the City Commission in determining if the Program should be continued.

SECTION FOUR. Implementation. The City Manager, or designee, shall be authorized to implement the aforementioned program in compliance with the guidelines as attached hereto as **Exhibit A**, and as provided in applicable resolutions, ordinances, and laws.

SECTION FIVE. Effective Date. That the effects of this Resolution shall be in full force after its approval by the City Commission.

PASSED AND APPROVED by the Governing Body of the City of Abilene, Kansas this 13th day of April, 2015.

CITY OF ABILENE, KANSAS

By:_____
Dennis P. Weishaar, Mayor

ATTEST:

_____
Penny Soukup, CMC
City Clerk

EXHIBIT A

Residential Incentive Program

City of Abilene, Kansas

April 13, 2015

ABILENE HOUSING INCENTIVE PROGRAM

City of Abilene, Kansas

Authorized by Resolution No. 0401315-3

The Housing Incentive Program is designed to encourage home ownership of new houses within the City of Abilene.

- Any person purchasing a new house with the intent of living in the house will be eligible to receive an incentive equal to the City's share of ad valorem property taxes paid on the property for one year.

- All newly constructed houses, including infill construction, constructed prior to the adoption of this program are eligible for the incentive program.

- The incentive will be paid by the City to the property owner of record, and will be paid in "Abilene Bucks."

- Since the incentive is paid in "Abilene Bucks," property owners will be required to spend it locally with merchants who accept "Abilene Bucks."

- Developers, builders, and landlords are not eligible to receive the incentive; only individuals purchasing a house with the purpose of actually living in the unit are eligible to receive the incentive.

- The City will provide the incentive within thirty days of the new property converting the utilities into their name.

- The incentive will be authorized for one year from the date of its adoption by the City Commission. Following the initial year, the City Commission will review the incentive and determine whether to continue the incentive or allow it to expire.

ABILENE
KANSAS

ABILENE HOUSING INCENTIVE PROGRAM

Example

Govt Entity	Mill Levy	$150,000	$180,000	$210,000	$250,000
USD 435	51.070	$881	$1,057	$1,233	$1,468
County	48.758	$841	$1,009	$1,178	$1,402
Abilene	45.438	$784	$941	$1,097	$1,306
Hospital #1	1.994	$34	$41	$48	$57
State	1.500	$26	$31	$36	$43
Cemetery #1	1.198	$21	$25	$29	$34
TOTAL	**149.958**	**$2,587**	**$3,104**	**$3,621**	**$4,310**

Staff Report for PC 15-2

Date: March 6, 2015

Agenda Item: PC 15-2 Final Plat - Abilene U.S.D. 435 Subdivision

Applicant: U.S.D. 435

Comments

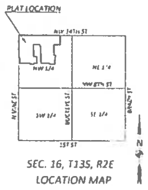
1. U.S.D. 435 is proposing new Right of way and utility easements, as well as vacating portions of right-of-way incidental to their property.
2. The purpose is to resolve long standing issues with regard to both property line location, and establish new utility easements associated with proposed construction projects.
3. The Development Review Committee consisting of City staff and utility companies reviewed the proposed Preliminary Plat, and all comments have been addressed.
4. Both the Preliminary and Final Plats meet the information requirements as stipulated in Article 4 of the Subdivision Regulations.
5. The Planning Commission at their March 10th meeting approved the Preliminary Plat, and is recommending approval of the submitted Final Plat.
6. Recommendation: Staff is recommending approval of the Final Plat.

City Commission options

1. Approve the plat as submitted.

2. Approve with any corrections as deemed necessary.

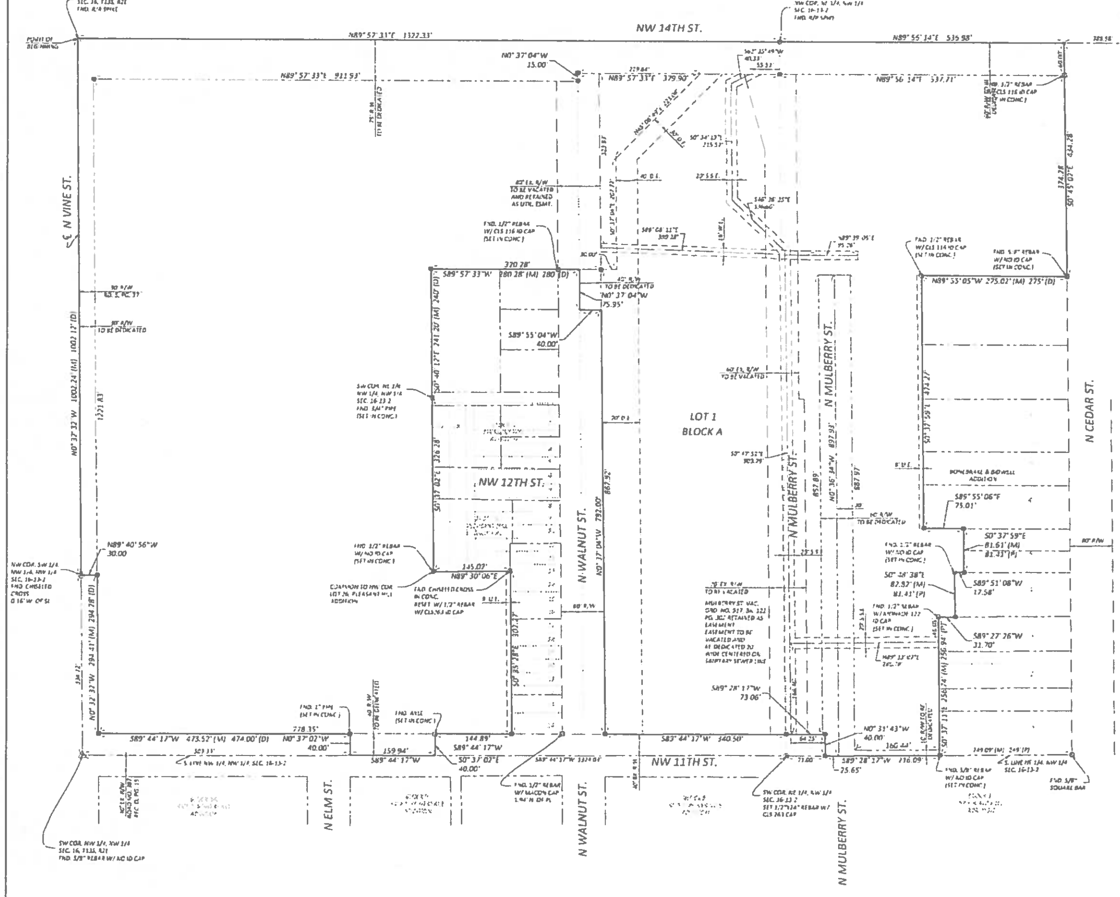
3. Deny if it is determined the document does not meet the requirements of Article 4 of the Subdivision Regulations.



THE FINAL PLAT OF ABILENE U.S.D. 435 SUBDIVISION

An Addition to the City of Abilene, Dickinson County, Kansas

A replat of Lots 1 through 12, Block 1 and all of the Alleys and Mulberry Street adjacent thereto, Lots 1 through 24, Block 2 and Alley adjacent thereto, Lots 25 and 26 and a part of Lots 13 through 24, Block 3, and all of the vacated Alley adjacent thereto, all in Pleasant Hill Addition, part of Lots 1 through 8 and all of Mulberry Street adjacent thereto in Bonebrake & Bidwell's Addition, also a tract of land in the North Half of the Northwest Quarter of Section 16, Township 13 South, Range 2 East of the 6th P.M., all in the City of Abilene, Dickinson County, Kansas



Legal Description

A replat of Lots 1 through 12, Block 1 and all of the Alleys and Mulberry Street adjacent thereto, Lots 1 through 24, Block 2 and Alley adjacent thereto, Lots 25 and 26 and a part of Lots 13 through 24, Block 3, and all of the vacated Alley adjacent thereto, all in Pleasant Hill Addition, part of Lots 1 through 8 and all of Mulberry Street adjacent thereto in Bonebrake & Bidwell's Addition, also a tract of land in the North Half of the Northwest Quarter of Section 16, Township 13 South, Range 2 East of the 6th P.M., all in the City of Abilene, Dickinson County, Kansas being more particularly described as follows: Beginning at the Northwest corner of said Northwest Quarter of Section 16, thence Easterly along the North line of said Section on an assumed bearing of N89°57'31"E, 1322.33 feet to the Northwest corner of the Northeast Quarter of the Northwest Quarter of said Section 16; thence N89°56'14"E along the North line of the Northeast Quarter of the Northwest Quarter of said Section 16, 535.98 feet to a point on the Westerly right of way line of N. Cedar Street extended; thence S00°45'02"E along the West right of way line of said N. Cedar Street, 434.28 feet to a point on the North line of a tract as described in Book 247, Page 234 in the Dickinson County Register of Deeds; thence N89°55'05"W, 275.02 feet to the Northwest corner of said tract as described in Book 247, Page 234; thence S00°37'59"E, 474.27 feet to a point being described as 223 feet East of the Southwest corner of said Lot 6; thence S85°55'06"E along the South line of said Lot 6, 75.01 feet to a point described as 298 feet East of the Southwest corner of said Lot 6; thence S00°37'59"E, 81.61 feet Measured (81.43 feet Plat) to a point described as 298 feet East of the Southwest corner of said Lot 5; thence S89°51'08"W, 17.58 feet to a point described as 217.5 feet West of the Northeast corner of said Lot 4; thence S00°48'35"E, 82.82 feet Measured (81.41 feet Plat) to a point described as 217.5 feet West of the Southeast corner of said Lot 4; thence S89°27'26"W along the South line of said Lot 4, 31.70 feet; thence S00°37'11"E, 256.74 feet Measured (256.94 feet Plat) to a point on the South line of said Lot 1, being coincident with the South line of the Northeast Quarter of the Northwest Quarter of said Section 16; thence S89°28'17"W along the South line of said Northeast Quarter of the Northwest Quarter, 216.09 feet to a point being 73.00 feet East of the Southwest corner of said Northeast Quarter of the Northwest Quarter; thence N00°31'43"W, 40.00'; thence S89°28'17"W, 73.06 feet to a point on the West line of said Northeast Quarter of the Northwest Quarter; thence S89°44'17"W, parallel to and 40 feet North of the South line of the Northwest Quarter of the Northwest Quarter of said Section 16, 340.50 feet to the Southwest corner of said Lot 24, Block 2, Pleasant Hill Addition; thence N00°37'04"W along the East right of way line of Walnut Street, 792.00 feet to the Northwest corner of said Lot 7, Block 1, Pleasant Hill Addition; thence S89°55'04"W, 40.00 feet to a point on the centerline of said Walnut Street; thence N00°37'04"W along the centerline of said Walnut Street, 75.95 feet to a point being described as 140 feet North and 280 feet East of the Southwest corner of the Northeast Quarter of the Northwest Quarter of the Northwest Quarter of said Section 16; thence S89°57'33"W parallel to the North line of said Northwest Quarter of the Northwest Quarter 280.28 feet (280' Described); thence S00°40'12"E, 241.20 feet (240 feet described) to the Southwest corner of said Northeast Quarter of the Northwest Quarter of the Northwest Quarter of Section 16; thence S00°37'02"E, along the West line of Lot 27, Block 3, Pleasant Hill Addition extended, 326.28 feet to the Northwest corner of said Lot 25, Block 3, Pleasant Hill Addition; thence N89°30'06"E, 145.02 feet to a point described as the Northeast corner of the West 65 feet of the South 13 feet of said Lot 13, Block 3, Pleasant Hill Addition; thence S00°35'28"E, 302.27 feet to the Southeast corner of the West 65 feet of said Lot 24, Block 3, Pleasant Hill Addition, the same being 40 feet North of the South line of the Northwest Quarter of the Northwest Quarter of said Section 16; thence S89°44'17"W, 144.89 feet to the Southwest corner of said Lot 26, Block 3, Pleasant Hill Addition; thence S00°37'02"E, 40.00 feet to a point on the South line of said Northwest Quarter of the Northwest Quarter of Section 16; thence S89°44'17"W, 159.94 feet to the East line extended of a tract described in Condemnation Case No. 08-CV-95; thence N00°37'02"W, 40.00 feet to the Southeast corner of said tract described in Condemnation Case No. 08-CV-95; thence S89°44'17"W, 473.52 feet Measured (474.00 feet Described) to the Southwest corner of said tract described in Condemnation Case No. 08-CV-95; thence N00°32'32"W, along the East right of way line of N. Vine Street, 294.41 feet Measured (294.28 feet Described) to the Northwest corner of said tract described in Condemnation Case 08-CV-95; thence N89°40'56"W, 30.00 feet to the Northwest corner of the Southwest Quarter of the Northwest Quarter of the Northwest Quarter of said Section 16; thence N00°32'33"W, 1002.24 feet Measured (1002.12 feet Described) to the Point of Beginning. Containing 43.06 acres more or less.

DEDICATION: The undersigned proprietor of the above described tract of land has caused the same to be subdivided in the manner shown on the accompanying plat which subdivision shall be known as "ABILENE U.S.D. 435 SUBDIVISION".

STREETS: Streets shown on this plat and not heretofore dedicated to public use are hereby so dedicated.

OWNER CERTIFICATE:

State of Kansas)
County of Dickinson) ss

This is to certify that the undersigned Proprietor, Unified School District 435 of Dickinson County, Kansas owns Abilene U.S.D. 435 subdivision, and has caused the same to be surveyed and subdivided as indicated thereon, for the uses and purposes therein set forth, and does hereby acknowledge and adopt the same under the style and title thereon indicated.

An easement or license to the public to locate, construct, and maintain or authorize the location, construction, and maintenance of conduit, water, gas, and sewer pipes or required drainage channels or structures upon the areas marked for easements on this plat are hereby granted.

Unified School District No. 435 ______ Date ______
Superintendent of Schools

State of Kansas)
County of Dickinson) ss

Be it remembered that on this ______ day of ______________, 2015, before me, a notary public in and for said County and State, came ______________ to me personally known to be the same person who executed the forgoing instrument of writing and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

____
Notary Public

CERTIFICATE OF CITY PLANNING COMMISSION:

State of Kansas)
County of Dickinson) ss

This Final Plat of Abilene U.S.D. 435 Subdivision has been submitted to and approved by the Abilene Planning Commission this ____ day of ______________, A.D. 2015.

____
Tye Campbell, Chairperson

____
Tim Hamilton, Secretary

CITY ATTORNEY CERTIFICATE:

State of Kansas)
County of Dickinson) ss

The Final Plat of Abilene U.S.D. 435 Subdivision, has been submitted to and approved by the City Attorney of Abilene, Kansas this ____ day of ______________, A.D. 2015.

____
Mark Dubbert, City Attorney

CERTIFICATE OF THE CITY COMMISSION:

State of Kansas)
County of Dickinson) ss

The Final Plat of Abilene U.S.D. 435 Subdivision, together with it's easements, rights of way and other dedications for public use, have been submitted to and approved by the Board of City Commission this ____ day of ______________, A.D. 2015.

____
Brenda Van Bowen, Mayor

____
Penny Soukup, City Clerk

CERTIFICATE OF COUNTY TREASURER:

I do hereby certify that there are no unpaid taxes, special assessments, or tax liens outstanding against any land included in this plat.

I further certify that I have received all statutory fees in connection with this plat.

Given under my hand and seal at Abilene, Kansas this ____ day of ______________, A.D. 2015.

____
Leah Hern, County Treasurer

REGISTER OF DEEDS CERTIFICATE:

State of Kansas)
County of Dickinson) ss

This is to certify that this instrument was filed for record in the Register Deeds office on the ____ day of ______________ 2015, in Book ______ Page ______.

____
Karen L. Freeman, Register of Deeds

SURVEYOR'S CERTIFICATE:

I, the undersigned, do hereby certify that I am a registered land surveyor in the State of Kansas; that the heretofore described property was surveyed and subdivided by me, or under my direct supervision; that all subdivision regulations of the City of Abilene, Kansas have been complied with in the preparation of this plat; and that all of the monuments shown herein actually exist and their positions are correctly shown to the best of my knowledge and belief.

Date of Survey ______________

Given under my hand and seal this ____ day of ______________, A.D. 2015.

LS-919

RICHARD T. SCHMIDT, L.S. 919
SCHMIDT, BECK & BOYD ENGINEERING, LLC
1415 SW TOPEKA BLVD.
TOPEKA, KS 66612

REVIEW SURVEYOR CERTIFICATE:

State of Kansas)
County of Dickinson) ss

I hereby certify that the review of this plat was found to be in compliance with the requirements of K.S.A. 58-2005. Approved this ____ day of ______________, A.D. 2015.

____
Review Surveyor

SBB
Schmidt, Beck & Boyd Engineering, LLC
1415 SW Topeka Blvd.
Topeka, KS 66612
Ph: (785) 215-8630

SBB Proj. No.	14.092
Drawn by:	MB
Checked by:	RS
Date:	2/19/2015
Scale:	1"=100'
Drawing No.	Sh. 1 of 1

City of Abilene
Payroll Expenditures Report
03/27/15

		TOTALS
NET SALARIES	$	69,825.38
OASDI - CITY/EMPLOYEE	$	12,585.68
MEDICARE - CITY/EMPLOYEE	$	2,943.42
FEDERAL WITHHOLDING - EMPLOYEE	$	9,902.92
KPERS - CITY/EMPLOYEE	$	9,813.89
KPF - CITY/EMPLOYEE	$	12,092.85
WADDELL & REED 457 - CITY/EMPLOYEE	$	2,036.00
WADDELL & REED SAVINGS - EMPLOYEE	$	315.00
STATE TAX - EMPLOYEE	$	3,139.88
AFLAC INSURANCE - EMPLOYEE	$	554.14
VISION PLANS - EMPLOYEE	$	295.24
HEALTH INSURANCE - CITY/EMPLOYEE	$	21,683.20
ATHLETIC CLUBS - CITY/EMPLOYEE	$	164.23
KS PAYMENT CENTER SUPPORT - EMPLOYEE	$	688.72
WAGE GARNISHMENTS - EMPLOYEE	$	776.15
FLEXIBLE SPENDING ACCOUNT - EMPLOYEE	$	1,035.46
POLICE & FIREMENS INS. - EMPLOYEE	$	20.92
TOTAL PAYROLL EXPENDITURES	**$**	**147,873.08**

	MANUAL PAYABLES				
		April 13, 2015			
Date	Check Number	Vendor	Line Item	Amount	Description
03/24/15	19385	Abilene Municipal Court	050-520291	$ 5,855.90	Bonds Applied
03/26/15	19392	KDHE - Bureau of Water	004-042-520970	$ 60.00	Industrial Stormwater Permit
Total				$ 5,855.90	

CITY OF ABILENE

Summary Voucher Listing

Completed , Printed, Requisitions

Vendor Number & Name		Voucher No	Sts	Date	Memo	Voucher Total	Scheduled Partial Payments	Man Chk#
19568	ABILENE & SMOKY VALLEY RR	20150432	C	04/13/15	82 TRAIN PARTICIPANTS - EASTER TRAIN	410.00		
01140	ABILENE AREA CHAMBER COMMER	20150473	C	04/13/15	AMBASSADOR DUES	25.00		
999164	ABILENE MIDDLE SCHOOL	20150474	C	04/13/15	AMS BOYS BB PROGRAM - TOURNEY PROCEEDS	500.00		
01350	ABILENE TERMITE & PEST CO	20150431	C	04/13/15	SC PEST CONTROL	35.00		
999201	AIRGAS USA, LLC	20150499	C	04/13/15	TRAFFIC VESTS	245.44		
19396	APAC, INC - SHEARS	20150500	C	04/13/15	HMA FOR STREET REPAIRS	2,887.57		
01697	AQUA-AEROBIC SYSTEMS, INC	20150501	C	04/13/15	DIFFUSERS & KITS	7,141.22		
02270	BOBCAT OF SALINA	20150502	C	04/13/15	ANNUAL LEASE FOR MINI-EXCAVATOR	924.00		
03191	CERTIFIED FOLDER DISPLAY	20150475	C	04/13/15	BROCHURE DISTRIBUTION	3,344.09		
999390	CHAPUT, JENNIFER	20150433	C	04/13/15	MILEAGE & TURNPIKE FEES - NFA	201.00		
999165	CHARLES PRODUCTS, INC	20150476	C	04/13/15	GIFT SHOP	351.00		
03275	CINTAS FIRST AID & SAFETY	20150530	C	04/13/15	1ST AID SUPPLIES	114.74		
03417	CONSOLIDATED PRINTING	20150477	C	04/13/15	COPIES	222.04		
03430	CONTINENTAL ANALYTICAL	20150503	C	04/13/15	LAB ANALYSIS	355.20		
03431	CONTINENTAL HYDRAULICS & EQUI	20150504	C	04/13/15	REPAIRS TO GRAPPLE BUCKET	351.16		
18150	COOPER, CHARLES D.	20150434	C	04/13/15	MARCH 2015 CLEANING	600.00		
03441	COOPER, KELLY	20150435	C	04/13/15	MARCH 2015 SERVICE	1,500.00		
03450	CREST QUARRY PROPERTIES, INC	20150436	C	04/13/15	AG LIME FOR BALLFIELDS	152.95		
04244	DK CTY ADMINISTRATION	20150437	C	04/13/15	DIESEL FUEL	491.33		
04370	DON'S TIRE & SUPPLY	20150478	C	04/13/15	FLAT REPAIR CAR 1	18.00		
05046	EAGLE COMMUNICATIONS	20150438	C	04/13/15	ETHERNET APRIL 2015	270.00		
05026	ED ROEHR SAFETY PRODUCTS	20150479	C	04/13/15	TASER CARTRIDGES	436.64		
999321	ELECTRO FIRE PYROTECHNICS	20150439	C	04/13/15	2015 FIREWORKS DISPLAY	6,000.00		
999166	ELLIOTT, RICKI	20150440	C	04/13/15	TRAINING MILEAGE TO SALINA	28.75		
05230	EXPRESS PRINT & SIGNS	20150441	C	04/13/15	LANYARDS - CUSTOM	55.93		
		20150442	C	04/13/15	VB CHAMP SHIRTS	98.14		
999162	FARNHAM, NANCY	20150443	C	04/13/15	REFUND - DANCE-BARRE/BALLET FITNESS	50.00		
06090	FASTENAL COMPANY	20150505	C	04/13/15	FACE WASH DUST COVER	34.07		
06190	FISHNET SECURITY, INC	20150480	C	04/13/15	SECURITY TOKEN - 215 RAGSDALE	50.84		
06240	FOLEY EQUIPMENT COMPANY	20150506	C	04/13/15	924 LOADER PARTS	28.27		
06245	FOLTZ JANE	20150444	C	04/13/15	MILEAGE FEB/MARCH 2015	338.68		
06299	FRANK BLACK PIPE & SUPPLY	20150507	C	04/13/15	CASING FOR WATER LINE PROJECT	547.75		
07188	GRAFIX SHOPPE	20150481	C	04/13/15	GRAPHICS FOR ANIMAL CONTROL VEHICLE	435.33		

CITY OF ABILENE

Summary Voucher Listing

Completed , Printed, Requisitions

Vendor Number & Name		Voucher No	Sts	Date	Memo	Voucher Total	Scheduled Partial Payments	Man Chk#
08020	HACH COMPANY	20150508	C	04/13/15	CL17 ANALYZER MAINT. KIT	190.79		
08145	HD SUPPLY WATERWORKS	20150509	C	04/13/15	PARTS FOR NE 9TH PROJECT/METERS/RADIOS & ANNUAL SUPPORT COST	11,695.79		
08400	HOLM AUTOMOTIVE CENTER	20150482	C	04/13/15	SEATBELT BUCKLE REPAIR - CARS 2, 7 & 12	449.57		
08450	HOOVER TARP SALES	20150510	C	04/13/15	TARP FOR ASPHALT TRUCK	180.00		
08500	HORTICULTURAL SERVICES, INC	20150446	C	04/13/15	2 RAINDROP CRABAPPLES	191.98		
		20150483	C	04/13/15	TREES FOR EAST END	149.98		
09069	IMAGE QUEST	20150447	C	04/13/15	COPIER	30.00		
		20150448	C	04/13/15	COPIER BASE SERVICE	40.00		
		20150484	C	04/13/15	MAINT. FEE 3/20-4/20/15	148.86		
09150	J & K CONTRACTING	20141923	C	12/31/14	ENCUMBER 9TH STREET WATER LINE PROJECT	30,547.00		
		20150511	C	04/13/15	BORING WATER LINE ON LINDER LANE	1,952.50		
11485	KANSAS ALCOHOLIC BEVERAGE	20150449	C	04/13/15	MONTHLY CMB TAX STAMP - MARCH SHOPKO	25.00		
00021	KENNAMETAL, INC	20150512	C	04/13/15	ASHPALT PLANER	396.97		
11239	KEY EQUIPMENT & SUPPLY	20150513	C	04/13/15	PARTS FOR SEWER/VAC TRUCK	45.41		
11140	KOMLINE-SANDERSON	20150514	C	04/13/15	BELT BRUSHES	897.81		
11348	KS ASSOCIATION OF AIRPORTS	20150485	C	04/13/15	2015 DUES	100.00		
11475	KS DEPT OF REVENUE	20150450	C	04/13/15	WATER PROTECTION & CLEAN DRINKING WATER FEES - JAN FEB MAR 2015	2,991.93		
11172	KSU/KANSAS FOREST SERVICE	20150451	C	04/13/15	TREE CITY USA RECOGNITION DAY - JOHN BARBUR & J. KINDER	50.00		
12010	LACAL EQUIPMENT, INC	20150515	C	04/13/15	WATER PUMP FOR SWEEPER DUST CONTROL	257.93		
12050	LARDENOIS, DAVID	20150516	C	04/13/15	REAR AXLE SEALS & REPAIR FORD EXPLORER #10	370.40		
999167	MANHATTAN CVB	20150486	C	04/13/15	SPONSORSHIP FOR KANSAS NIGHT FOR SATW	500.00		
999150	MARK GUILFOYLE, ATTORNEY PA	20150445	C	04/13/15	APRIL 2015 SERVICE	2,083.33		
999055	MDH UNLIMITED, LLC	20150452	C	04/13/15	1 YEAR ORGANIZATION LISTING & CALENDAR	400.00		
999526	MEHHAN, JACK E.	20150487	C	04/13/15	TABLECLOTHES	260.00		
13004	MES, INC	20150453	C	04/13/15	NEW BUNKER GEAR FOR GABE DICK 580	1,699.00		
11227	MIDWEST CONCRETE MATERIALS	20150517	C	04/13/15	CURB/GUTTER REPAIRS/SEWER MANHOLE REPAIRS	785.76		
09090	MILLER, JERRY A.	20150454	C	04/13/15	AWOS MAINT - MARCH 2015	300.00		
13430	MINE SAFETY APPLIANCES CO, LLC	20150518	C	04/13/15	GAS SENSORS FOR HEADWORKS BUILDING	1,027.44		
14110	NATIONAL GREYHOUND ASSOCIATI	20150455	C	04/13/15	2015 SPRING MEET SPONSORSHIP	250.00		
14130	NATIONAL LEAGUE OF CITIES	20150488	C	04/13/15	2015-2016 DUES	1,117.00		
14170	NEOPOST USA INC	20150456	C	04/13/15	POSTAGE	500.00		

CITY OF ABILENE

Summary Voucher Listing

Completed , Printed, Requisitions

Vendor Number & Name		Voucher No	Sts	Date	Memo	Voucher Total	Scheduled Partial Payments	Man Chk#
14190	NEX-TECH RURAL TELEPHONE	20150457	C	04/13/15	PHONE SERVICE	2,224.98		
14845	OCCUPATIONAL PERFORMANCE CO	20150458	C	04/13/15	DRUG SCREEN & PHYSICAL - MARCUS ROTHCHILD	129.00		
03220	OFFICE OF THE STATE FIRE MARSH	20150459	C	04/13/15	FIRED STORAGE WATER HEATER	80.00		
14860	OLSSON ASSOCIATES	20150489	C	04/13/15	RUNWAY REHAB	4,295.94		
15030	OSBORN PROPERTIES	20150490	C	04/13/15	BILLBOARD	200.00		
16120	PMSI	20150519	C	04/13/15	WORK ZONE SIGNS & STANDS	1,220.00		
999156	POLZELLA, JESSICA	20150460	C	04/13/15	MOTEL FOR WORKSHOP	120.00		
16300	PRAIRIE FIRE COFFEE	20150520	C	04/13/15	COFFEE	169.60		
999084	PROFESSIONAL CLEANING SYSTEMS	20150521	C	04/13/15	DEGREASER & DETERGENT FOR WASHING TRUCKS & EQUIPMENT	120.00		
16402	PURVIS, JOHN	20150461	C	04/13/15	NANCY REIGHLEY 14-0702/15-0069	292.50		
17009	QUILL	20150491	C	04/13/15	SD CARDS/SHREDDER LUBRICANT	181.72		
18094	RAY LINDSEY CO.	20150522	C	04/13/15	REPAIR & REBUILD PARTS FOR NW 8TH/ROGERS SEWER & LIFT STATION	3,455.62		
18320	ROBSON OIL CO, INC	20150462	C	04/13/15	SOLVENT	41.65		
		20150463	C	04/13/15	FUEL	5,306.18		
999161	S & K ELECTRIC	20150464	C	04/13/15	ROSE GARDEN ELECTRICAL - ARBOR RENOVATION	1,300.00		
19080	SAGE PRODUCTS, INC	20150523	C	04/13/15	MARKING PAINT FOR WATER/SEWER LINES	330.00		
19110	SALINA CONCRETE PRODUCTS	20150524	C	04/13/15	CURB & GUTTER TROWEL	38.50		
19180	SALINA SUPPLY CO	20150525	C	04/13/15	SEWER MANHOLE RINGS, LIDS, METERIAL FOR SIGN HOLDERS - P & R REPAIRS	5,659.71		
13305	SALINA TOOL, LLC	20150526	C	04/13/15	REPAIRS TO IMPACT WRENCH	50.00		
19360	SELLERS TRACTOR CO INC	20150527	C	04/13/15	STREET SWEEPER WATER SPRAY PARTS	27.47		
999163	STONE, ANDY	20150465	C	04/13/15	BB 3 ON 3 TOURNEY - REFUND	30.00		
19892	SUPERIOR SANITATION SERVICE	20150466	C	04/13/15	TRASH SERVICE @ CVB, RECYCLING & WWTP	240.00		
		20150467	C	04/13/15	TRASH SERVICE - CC, SC & PARKS	170.00		
19900	SWISHER, ANDREA K.	20150468	C	04/13/15	APRIL 2015 SERVICE	2,083.33		
20244	THOMAS OUTDOOR ADVERTISING	20150492	C	04/13/15	BILLBOARD	130.00		
20355	TRAILS END CAR WASH	20150493	C	04/13/15	CAR WASHES - MARCH	201.61		
		20150528	C	04/13/15	TRUCK WASH	9.00		
23210	UNIFIRST CORPORATION	20150494	C	04/13/15	UNIFORM SERVICE	2,225.14		
21110	UNIVERSITY OF KANSAS	20150495	C	04/13/15	TRAINING - 212 WRIGHT	90.00		
11724	US BANK EQUIPMENT FINANCE	20150469	C	04/13/15	COPIER LEASE 3/21-4/21/15	443.78		
		20150470	C	04/13/15	COPIER CONTRACT PYMT	162.00		

CITY OF ABILENE

Summary Voucher Listing

Completed , Printed, Requisitions

Vendor Number & Name		Voucher No	Sts	Date	Memo	Voucher Total	Scheduled Partial Payments	Man Chk#
21050	UTILITY SERVICE CO, INC	20150471	C	04/13/15	2ND QTR WATER TOWER MAINTENANCE	25,370.04		
11221	VERIZON WIRELESS	20150496	C	04/13/15	CELL PHONE SERVICE	1,282.51		
23020	WAGEWORKS	20150472	C	04/13/15	FSA MONTHLY ADMIN FEE - FEB 2015	115.00		
23025	WAITT OUTDOOR	20150497	C	04/13/15	BILLBOARDS	1,810.00		
23170	WEST'S PLAZA COUNTRY MART	20150529	C	04/13/15	TOOL CLEANING DETERGENT	9.75		
999029	WRAY ROOFING, INC	20150498	C	04/13/15	ROOF REPAIR DUE TO HAIL STORM	61,472.00		
					Report Total	208,965.62		